

# FINAL INITIAL STUDY AND ENVIRONMENTAL ASSESSMENT UPPER MORMON SLOUGH EROSION REPAIR PROJECT

FEBRUARY 2021

SCH#: 2020120459



## PREPARED FOR:



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## 1. INTRODUCTION

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This Final Environmental Assessment/Initial Study (IS/EA) includes comments and responses to comments on the Draft IS/EA for the San Joaquin County Upper Mormon Slough Erosion Repair Project. San Joaquin County, as the non-federal sponsor and lead agency under the California Environmental Quality Act (CEQA), must consider the IS/Mitigated Negative Declaration (MND) portion of this document before it adopts an MND and approves the proposed action.

The United States Army Corps of Engineers (USACE) and San Joaquin County (County) prepared the Draft IS/EA to address the environmental issues, alternatives, and impacts associated with implementation of the proposed action. This Final IS/EA satisfies the legal and regulatory requirements pursuant to NEPA and CEQA.





## **1.1 PROJECT OVERVIEW**

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### **1.1.1 PURPOSE OF THE IS/EA**

This document is a joint IS/EA and is intended to satisfy the requirements of the National Environmental Policy Act (NEPA) as well as the California Environmental Quality Act (CEQA) for determining environmental effects and recommended mitigation measures. By preparing a single document that complies with both NEPA and CEQA requirements, the involved agencies were able to avoid unnecessary duplication. While similar, NEPA and CEQA are not identical. Where they differ, the more stringent of the regulations is followed.

### **1.1.2 DECISIONS NEEDED**

The primary purpose of this IS/EA is to determine whether the proposed action would have a significant impact on the environment, and therefore require the preparation of an Environmental Impact Report / Environmental Impact Statement (EIR/EIS). If the findings of this study show less than significant impacts on the environment, then a Finding of No Significant Impact (FONSI) and a Negative Declaration will be prepared as required by NEPA and CEQA, respectively. If they show a significant impact on the environment, then an EIR/EIS will be prepared.

### **1.1.3 AUTHORITY**

San Joaquin County Flood Control and Water Conservation District (FCWCD) is the lead agency for ensuring compliance with CEQA for the Proposed Project. It is also the Local Maintaining Agency (LMA) for the Mormon Slough levees and related structures. USACE is the lead agency under NEPA.

### **1.1.4 PROPOSED ACTION**

The Proposed Project would consist of repairs to the north and south banks of a segment of Upper Mormon Slough in San Joaquin County, California (Table 1). Mormon Slough accepts flow from the Calaveras River at Bellota and carries it to the Stockton Diverting Canal, which returns the flow to the Calaveras River. The Calaveras River eventually flows into the San Joaquin River.

The actions would include minor excavation for access and to remove compromised material in the channel, immediately followed by repair of the channel slope with a variety of materials including soil-filled rock slope protection (RSP), a coarse filter bed, earth fill, and launch rock. Launch rock is placed on the toe of the repair and is intended to sacrificially “launch” itself downslope to fill in any material that may have been removed by high flows.

This project is being completed by the San Joaquin County FCWCD with funding and support from DWR’s Division of Flood Management under its Flood System Repair Project (FSRP). As such, the repairs will be designed in accordance with DWR’s Rural Levee Repair Guidelines (California Department of Water Resources, 2014), and as outlined in section 1.4.1.



## 1.1.5 PROJECT LOCATION

The Proposed Project area is in the eastern portion of San Joaquin County, approximately four miles east/northeast of the town of Linden, and 15 miles east/northeast of the City of Stockton. The slough runs parallel to State Route 26 in the Proposed Project area, as shown in Figure 1. The repair area extends downstream from the Escalon-Bellota Bridge to a small regulating dam on the slough (Table 1, Table 2).

## 1.1.6 EXISTING CONDITIONS AND NEED FOR PROJECT

The purpose of the proposed project is to stabilize the channel alignment and preserve the general uniformity of the bank lines in order to preserve the function of the channel and to reduce the potential for further lateral migration of the channel. The channel is eroding toward State Route 26 on its northern bank, and toward neighboring structures and orchards on its southern bank. Field observations show that erosion and undermining of the existing slopes is leading to incremental collapse and/or oversteepening of the slopes, which is considered the most prevalent mode of failure of the system to be addressed by the repair design.

**Table 1: Upper Mormon Slough Estimated Repairs Characteristics - North Bank**

Repair Characteristics	
Repair Length	3,290 linear feet
Area of laydown	15.2 acres
Area of repair below Ordinary High Water Mark (OHWM)	2.06 acres
Area of repair above OHWM	0.35 acres
Estimated excavation, above OHWM	5,000 cubic yards
Estimated excavation, below OHWM	1,500 cubic yards
Earthfill, above OHWM	425 cubic yards
Aggregate base, above OHWM	310 tons
Agricultural soil, above OHWM	1,300 cubic yards
Rockfill, above OHWM	7,200 cubic yards
Launch Rock, above OHWM	0 cubic yards
Launch Rock, below OHWM	8,800 cubic yards
Estimated Truck Loads	1,500
Final bank slope (Horizontal:Vertical)	Varies (1.5:1 - 4:1)



**Table 2: Upper Mormon Slough Estimated Repair Characteristics - South Bank**

Repair Characteristics	
Repair Length	1,425 linear feet
Area of laydown	5.1 acres
Area of repair below Ordinary High Water Mark (OHWM)	0.85 acres
Area of repair above OHWM	0.20 acres
Area of repair below OHWM	0.85 acres
Estimated excavation, above OHWM	1,500 cubic yards
Earthfill, above OHWM	425 cubic yards
Aggregate base, above OHWM	230 tons
Agricultural soil, above OHWM	600 cubic yards
Rockfill, above OHWM	3,250 cubic yards
Launch Rock, above OHWM	0 cubic yards
Launch Rock, below OHWM	4,050 cubic yards
Estimated Truck Loads	700
Final bank slope (Horizontal:Vertical)	Varies (1.5:1 - 4:1)

## 1.2 ALTERNATIVES

### 1.2.1 ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION

#### **Dewatering**

Dewatering of the repair area was considered. However, this method offers minimal benefits in terms of construction access, and would remove an otherwise perennial water source from the riparian habitat. Additionally, Upper Mormon Slough conveys irrigation water released by Stockton East Water District at the Bellota weir to downstream of and within project limits.

#### **1.2.2 NO ACTION ALTERNATIVE**

Under the no-action alternative, no action would be taken to halt erosion to protect the Upper Mormon Slough. Forces of erosion would persist, including wave wash, flood flows, and human disturbances. Undermining of private property along the south (left bank) and encroachment near Highway 26 and the existing levee on the north (right bank) would persist. Mature vegetation would continue to be lost due to bank erosion, increased turbidity, and decomposition downstream of high erosion.



Should encroachment continue from the No Action Alternative, resultant emergency measures would likely be of a nature that limits the ability to properly implement best management practices (BMP), site-specific mitigation, participation in the HCP, and other measures that would minimize impacts to surrounding communities.

## 1.3 PROPOSED ACTION

This section describes the proposed action. This includes the discussion of features, construction equipment, staging areas, disposal of excess materials, construction schedule, and long-term maintenance of the project.

### 1.3.1 FEATURES

Review of the O&M Manual for the Mormon Slough Project (United States Army Corps of Engineers (USACE), 2010) indicates that the Upper Mormon Slough is a project "Channel." Maintenance of channels is defined in the O&M Manual section 4-03 as follows:

#### 4-03.c.(3):

"Dumped rock or other suitable types of protection should be placed at locations found by experience to be critical trouble points, *with a view to stabilizing the channel alignment and preserving the general uniformity of the bank lines.*" (emphasis added)

#### 4-03.c.(4):

"Sediment and debris plugs or other obstructions should be removed from the channel to prevent any tendency for the flows to be deflected within the channel. The heavy material likely to accumulate in the new channel at the mouths of tributaries should be removed to keep the channel clear."

#### 4-03.c.(5):

"The channel and right-of-way shall be kept reasonably clear of debris, refuse matter, or industrial wastes in accordance with criteria of the California State Water Control Boards."

#### 4-03.c.(6):

"Weeds and other vegetal growth in the channel shall be cut in advance of flood season and together with all debris, removed from the channel."

#### 4-03.e.(1)(c)

"In the event an inspection reveals that due to scour, settlement, or other causes, stone protection on the levee or bank is required beyond the limits of the original construction or in reaches of the levee or bank not originally provided with such protection, *local interests will provide additional sloping of the bank and placement of stone protection as needed to protect completed work.* The work shall be done in a manner acceptable under *standard engineering practice.*" (emphasis added)

The maintenance activities are thus planned to comply with 4-03.c(3) and 4-03.e(1)(c) of the O&M Manual in that rock slope protection (stone protection) will be placed as needed to protect the existing channel following standard engineering practice. For this project, standard engineering practice was interpreted to be the practices and design guidelines outlined by the California Department of Water Resources (DWR) Rural Levee Repair Guidelines (RLRG) dated March 2014, specifically Section 3.3.1.





Stabilizing the Upper Mormon Slough channel alignment and preventing further bank erosion will greatly reduce further erosion and sedimentation. State Route 26 will be protected from eventual erosion damage, as will orchards on the south bank, which have already experienced loss of productive land due to erosion.

Mature trees and vegetation on the banks of Upper Mormon Slough are threatened with loss due to erosion. Some of the vegetation close to the current water's edge will need to be removed to accommodate the RSP and launch rock. However, participation in the HCP will result in 3:1 mitigation of riparian impacts.

### 1.3.2 CONSTRUCTION DETAILS

#### ***Access and Staging***

Access to the work area on the north side of the Slough and the staging area would be from three locations along Highway 26 (Figure 2). Access to the work area on the south side of the Slough would be from Escalon-Bellota Road, either along the service road (which doubles as an agriculture access road in this area located at the Escalon-Bellota Bridge), or from a farm driveway located 1,100 feet south of the Bridge. Compromised material would be loaded into dump trucks and disposed off-site or reused soil-filled RSP/backfill. The launch rock and other fill materials would be obtained from local quarries.

#### ***Construction Sequencing and Equipment***

The repair work would be accomplished using excavators or similar equipment. Work would begin by developing access to the site through use of ramps or gated access roads by clearing vegetation or other obstructions to allow access. Following development of access, an excavator located above the waterway would place launch rock and soil filled rock slope protection within the channel. Any ramps or access routes would be restored following completion of construction with any excess compromised material either used in restoration activities or removed from the site. Once the repairs are deemed satisfactory, as approved by San Joaquin County, equipment would be removed, and vegetation replanted as appropriate.

#### **Construction Equipment**

- |                                   |                                      |            |
|-----------------------------------|--------------------------------------|------------|
| • Pickup Trucks                   | • Pavers                             | • Chippers |
| • Hand and Walk Behind Compactors | • Semi-trucks with transfer trailers | • ATV's    |
| • Ride-on Compactors (Rollers)    | • Loaders                            | • Skidders |
| • Dozers                          | • Haul (Dump) Trucks                 | • Crane    |
| • Backhoes or Excavators          | • Hydroseeding Equipment             |            |

#### ***Vegetation Removal and Fill***

The channel bank will be graded after vegetation removal to create space to place RSP in designated areas. Vegetation debris that is removed will be stockpiled in the staging area outside the slough. Some areas of the channel that are significantly eroded will require additional fill to establish an appropriate cross section. Figures 3-6 show existing vegetation and site conditions in the project area.



### **Restoration and Cleanup**

Upon completion of construction activity, all equipment and excess materials would be transported off site using the same routes used for mobilization and construction. Levee slopes and the soil-filled RSP would be seeded to promote re-vegetation and minimize soil erosion. The staging area would then be cleaned of any rubbish and all parts of the work area would be left in its original condition.

### **Operation and Maintenance**

The County will be responsible for the operation and maintenance of the repaired channel. Regular maintenance activities could include rodent control, vegetation clearance, inspections, and other maintenance activities as required by the O&M manual.

### **1.3.3 Required Approvals**

A list of permits and/or approvals that the Proposed Project would require is attached as Table 3.

**Table 3: Required Permits and Approvals**

Permit	Permitting Authority	Affected Elements
<b>Federal Permits / Approvals</b>		
<b>National Environmental Policy Act (NEPA) Compliance</b>	United States Army Corps of Engineers	All
<b>Clean Water Act Section 404 Dredge and Fill Permit</b>	United States Army Corps of Engineers	Permitted activities that require dredging or the placement of fill within Waters of the United States
<b>Federal Endangered Species Act compliance</b>	United States Fish and Wildlife Service	Permitted activity affecting federally listed special-status species
<b>Federal Endangered Species Act compliance</b>	National Marine Fisheries Service	Permitted activity affecting federally listed special-status marine or anadromous fish species
<b>State Permits/Approvals</b>		
<b>Section 1602 et seq. Streambed Alteration Agreement</b>	California Department of Fish and Wildlife	Permitted activity affecting State- listed special-status species



Permit	Permitting Authority	Affected Elements
<b>Encroachment Permit</b>	Central Valley Flood Protection Board	Mormon Slough channel, banks, and levees.
<b>Clean Water Act Section 401 Water Quality Certification</b>	Central Valley Regional Water Quality Control Board	Permitted activities within jurisdictional waters of the U.S. requiring a Section 404 permit
<b>National Historic Preservation Act Section 106 Compliance</b>	State Historic Preservation Office	Permitted activity on facilities that would affect cultural and historic resources listed or eligible for inclusion in the National Register of Historic places
<b>California Environmental Quality Act (CEQA): Negative Declaration or Mitigated Negative Declaration</b>	San Joaquin County	All

## 1.4 SUMMARY OF IMPACTS AND MITIGATION MEASURES

The affected environment and the environmental consequences (impacts) of the proposed action are described in Chapter 3 of the Draft IS/EA, which is incorporated by reference. An MMRP is also provided as Appendix 1 to this Final IS/EA.

## 1.5 ENVIRONMENTAL REVIEW PROCESS

The Draft IS/EA was circulated for public comment from December 23, 2020 to January 25, 2021. Copies of the Draft IS/EA were submitted to the State Clearinghouse for distribution to state agencies that have jurisdiction over resources affected by the project.

A digital version of the IS/EA and Appendices are available online at: [Upper Mormon Slough Erosion Repair Project \(ca.gov\)](http://www.sjgov.org/pubworks) and San Joaquin County Department of Public Works website: <http://www.sjgov.org/pubworks>. Additionally, hard copies are available at: San Joaquin County Department of Public Works, 1810 East Hazelton Avenue, Stockton, California 95205. The NEPA process will be completed with the USACE adoption of the Categorical Exemption, and the CEQA process will be complete with the County's adoption of the MND and filing of a Notice of Determination (NOD).



## 2. COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT IS/EA

### 2.1 INTRODUCTION

Nearly every Final IS/EA prepared pursuant to CEQA/NEPA includes new information provided in response to concerns raised in public and agency comments. These comments and their accompanying responses, however, are generally not “significant new information” that would require the recirculation of some, or all of the Draft IS/EA for additional formal public review and comments.

None of the comments received on the Draft IS/EA for the San Joaquin County Upper Mormon Slough Erosion Repair Project constitute significant new information that would require recirculation of the Draft IS/EA, as set forth in CEQA Guidelines Section 15073.5. More specifically, none of the new information reveals any significant environmental effects not previously identified or any substantial increase in the severity of any previously identified effects. For these reasons, San Joaquin County, the CEQA lead agency, directed that a Final IS/EA be prepared, and a MND be adopted with an MMRP.

### 2.2 LIST OF COMMENTS ON THE DRAFT IS/EA

**Table 4: Commenters on the Draft IS/EA**

	Individual or Signatory	Agency/Affiliation	Date Prepared	Date Received
1	Nicholas White	Central Valley Regional Water Quality Control Board	1-19-2020	1-19-2021

### 2.3 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT IS/EA

San Joaquin County received one comment letter commenting on the Draft IS/EA. This letter is reproduced on the following pages. The response to the comment letter is contained on the page immediately following the letter.

To assist in referencing comments and responses, the commenter has been assigned a number and each specific comment a letter of the alphabet. Responses are coded to correspond to the codes used in the margin of the comment letters. Where changes to the Draft IS/EA text have been made in response to comments, those changes are shown in Chapter 3 of this Final IS/EA. Comments that present opinions about the proposed project or that raise issues not directly related to the substance of the Draft IS/EA are not provided a detailed response.



Figure 1: Comment Letter 1



## Central Valley Regional Water Quality Control Board

19 January 2021

Governor's Office of Planning & Research

**Jan 19 2021**

Matt Zidar  
San Joaquin County  
Flood Control and Water Conservation District  
1810 East Hazelton Avenue  
Stockton, CA 95205

**STATE CLEARINGHOUSE**

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, UPPER MORMON SLOUGH EROSION REPAIR PROJECT, SCH#2020120459, SAN JOAQUIN COUNTY**

Pursuant to the State Clearinghouse's 23 December 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Upper Mormon Slough Erosion Repair Project, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil 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, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)



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**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality/certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.



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For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

If you have questions regarding these comments, please contact me at (916) 464-4856 or [Nicholas.White@waterboards.ca.gov](mailto:Nicholas.White@waterboards.ca.gov).



Nicholas White  
Water Resource Control Engineer

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



### **2.3.1 RESPONSE TO COMMENT LETTER 1**

#### **Comment 1-a**

The comments are noted. Since none of the comments pertain to adequacy of the CEQA analysis, or would result in text changes, no further response or changes to the Draft IS/EA are required.



### **3. CHANGES TO THE DRAFT IS/EA**

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#### **3.1 INTRODUCTION**

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No changes to the text of the Draft IS/EA have been identified in the responses to comments provided in Chapter 2. None of the comments provided in Chapter 2 constitutes new significant information or results in new significant impacts. Therefore, there are no changes to the Draft IS/EA.

