



Central Coast Regional Water Quality Control Board

February 3, 2017

VIA ELECTRONIC MAIL

David Chardavoyne
Monterey County Water Resources Agency
P.O. Box 930
Salinas, CA 93901
E-mail: ChardavoyneDE@co.monterey.ca.us

Dear Mr. Chardavoyne:

NOTICE OF APPLICABILITY FOR SALINAS RIVER LAGOON PILOT CHANNEL CONSTRUCTION PROJECT, MONTEREY COUNTY, PROJECT NO. 32717WQ02

On January 23, 2017, the Central Coast Regional Water Quality Control Board (Central Coast Water Board) received Monterey County Water Resources Agency's after-the-fact Notice of Intent to enroll the Salinas River Lagoon Pilot Channel Construction Project (Project), Monterey County under the *Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction, Order No. 2004-0004-DWQ*.

Central Coast Water Board staff understands that the Monterey County Water Resources Agency completed project construction on January 11, 2017. The Project included the following activities:

- Excavating a pilot channel on the beach berm between the lagoon and ocean using a medium-sized bulldozer and excavator;
- Locating the pilot channel in a location determined by current beach and lagoon conditions;
- Constructing the channel with a bend to mimic a naturally occurring event that encourages channel sinuosity and minimizes full evacuation of the lagoon;
- Shaping the channel into a trapezoidal form with a 315-foot length and an average 12-foot bottom width;
- Beginning pilot channel excavation on January 9, 2017 (staging, work boundary staking, and excavating the pilot channel from the lagoon to the ocean leaving a sand plug in place) when the lagoon water surface elevation (WSE) reached 4 to 5 feet, with forecasted flows of over 6,000 cubic feet per second (cfs) at Spreckels (a community in Monterey County upstream of the lagoon);
- On January 10, 2017, suspending remaining work due to a forecast that the peak flow would arrive at Spreckels later than expected;
- On January 11, 2017, completing pilot channel excavation when the lagoon WSE was 5 to 6 feet and rising with a new forecast for flow at Spreckels of over 6,000 cfs.

Central Coast Water Board staff has reviewed your application for the constructed Project. The Central Coast Water Board Executive Officer is issuing this Notice of Applicability (NOA)

DR. JEAN-PIERRE WOLFF, CHAIR | JOHN M. ROBERTSON, EXECUTIVE OFFICER

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authorizing the Project under Order No. 2004-0004-DWQ after the project was constructed because

1. The Applicant needed to consult with the Army Corps of Engineers (ACOE) to determine if they would take regulatory authority over the project or not, and
2. After understanding the ACOE determination that it would not take jurisdiction, the Applicant needed to quickly alleviate flooding conditions near the Salinas River Lagoon before the Applicant could apply for coverage under Order No. 2004-0004-DWQ.

Authorized Impacts: Fill activities authorized by this NOA are limited to 0.11 acre/ 315 linear feet of temporary impacts to estuary/lagoon and a fill volume of 1,384 cubic yards.

Reporting Requirements: Pursuant to section C.26 of Order No. 2004-004-DWQ, you submitted a final Project Completion Report on January 27, 2017.

Fee: The total fee for this project is \$2,552. The remaining fee payable to the Central Coast Water Board is \$0.

This Notice of Applicability is for a one-time pilot channel construction. Future pilot channel construction will require separate permit coverage. With the ACOE determining in this case to not exercise jurisdiction over the project, Order No. 2004-0004-DWQ will apply for future pilot channel construction projects with the same circumstances. Since an appropriate permit for this work has been identified, MCWRA must obtain permit coverage prior to beginning work for any future pilot channel construction projects. Central Coast Water Board staff will apply implementation, monitoring, and reporting conditions to future pilot channel construction projects through that required permitting process.

If you have questions, please contact **Kim Sanders** at (805) 542-4771 or via email at Kim.Sanders@waterboards.ca.gov, or Phil Hammer at (805) 549-3882.

Sincerely,



Digitally signed by Phillip Hammer
Date: 2017.02.02 17:20:00 -08'00'

for
John M. Robertson
Executive Officer

Mr. Chardavoyne

Project No. 32717WQ02

February 3, 2017

cc:

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