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## Central Valley Regional Water Quality Control Board

17 December 2024

Michael Oguro  
California Department of Transportation  
703 B Street  
Marysville, CA 95901

**NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD  
CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION  
OF ARMY CORPS OF ENGINEERS' 2021 NATIONWIDE PERMITS (ORDER NO. WQ  
2021-0048-DWQ), CALIFORNIA DEPARTMENT OF TRANSPORTATION, PIT RIVER  
SEISMIC PROJECT (WDID NO. 5A18CR00034), LASSEN COUNTY**

On 14 November 2024, the California Department of Transportation (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Pit River Seismic Project under State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification of Army Corps of Engineers' 2021 Nationwide Permits (Order No. WQ 2021-0048-DWQ). The applicable Nationwide Permit (NWP) is NWP 3a, Maintenance. After review of the NOI and supplemental materials submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Pit River Seismic Project (Project) qualifies for enrollment under this General Order.

The Central Valley Water Board is certifying this Project under Water Quality Order WQ 2021-0048-DWQ. This Notice of Applicability (NOA) is being issued at the request of California Department of Transportation (hereinafter Enrollee) under the General Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the General Order is enclosed. You can also access the General Order on [State Water Resources Control Board's General Orders Web Page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2021) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html#yr\\_2021](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2021)).

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. The Project is described in the NOI Form requesting coverage and supplementary information (Application Package). If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

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

## I. Public Notice

The Central Valley Water Board provided public notice of the application from 15 November 2024 to 6 December 2024. The Central Valley Water Board did not receive any comments during the comment period.

## II. Project Description

The Enrollee proposes seismic strengthening activities at bridges 07-0005 and 07-0007 on State Route 299 to preserve the structural integrity of the bridges and avoid failure in the event of an earthquake. The bridge columns and pile extensions will be wrapped with fiber reinforced plastics. No impacts to waters of the state will occur at bridge 07-0007 and, therefore, this NOA is limited to project impacts to the Pit River at bridge 07-0005 resulting from excavation to place the column wrappings. This will entail excavating a one-foot-wide trench around the column for a depth of 2.5 feet below the ground. The carbon fiber wrap will be placed around the columns, to the bottom of these trenches, and then the approximately 2.6 cubic yards of material excavated will be placed back into the trench. Dewatering at this location may be necessary depending on the water level at the time of construction.

## III. Project Location

Address: Bridge 07-0005 is at post mile (PM) 13.4 on State Route 299

County: Lassen

Nearest City: Bieber

Assessor's Parcel Numbers: 001-130-023-000 & 001-130-024-000

Latitude: 41.11497° and Longitude: -121.15498°

Maps showing the Project location are found in Attachment A of this NOA.

## IV. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, February 2019 (Basin Plan). The plan for the region and other plans and policies may be accessed at the [State Water Resources Control Board's Plans and Policies Web page](http://www.waterboards.ca.gov/plans_policies/) ([http://www.waterboards.ca.gov/plans\\_policies/](http://www.waterboards.ca.gov/plans_policies/)). The Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This NOA promotes that policy by requiring discharges to

meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity are shown in Table 2 of Attachment B.

## V. Description of Direct Impacts to Waters of the United States

The Project will impact 0.01 acre of Waters of the United States. These impacts include temporary impacts of 0.01 acre of stream channel resulting from excavation.

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss of area and those degrading ecological conditions. Impacts to waters of the state shall not exceed quantities shown in Table 1.

**Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts<sup>1</sup>**

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.01	2.6	8

## VI. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, Title 14, section 15061. Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, Title 14, section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

## VII. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

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<sup>1</sup> Includes only temporary direct impacts to waters of the state and does not include area of temporary disturbance which could result in a discharge to waters of the state. Temporary impacts, by definition, are restored to pre-project conditions and therefore do not include a physical loss of area or degradation of ecological condition.

**VIII. Fees Received**

An application fee of \$4,212 was received on 9 December 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 E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

**IX. Compensatory Mitigation**

No compensatory mitigation is required as no permanent impacts will occur. To the extent feasible, the Enrollee is required to restore and stabilize the area following disturbance.

**X. Central Valley Regional Water Quality Control Board Contact:**

If you have any questions regarding this Notice of Applicability, please contact Olivia Ilesley at (916) 464-4673 or [Olivia.Ilesley@waterboards.ca.gov](mailto:Olivia.Ilesley@waterboards.ca.gov).

Original Signed by Clint E. Snyder, AEO  
For Patrick Pulupa, Executive Officer  
Central Valley Regional Water Quality Control Board

12/17/2024  
Date

Enclosure: State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification of Army Corps of Engineers' 2021 Nationwide Permits (Order No. WQ 2021-0048-DWQ)

Attachments: Attachment A - Project Map  
Attachment B - Receiving Water, Impact, and Mitigation Information  
Attachment C - CEQA

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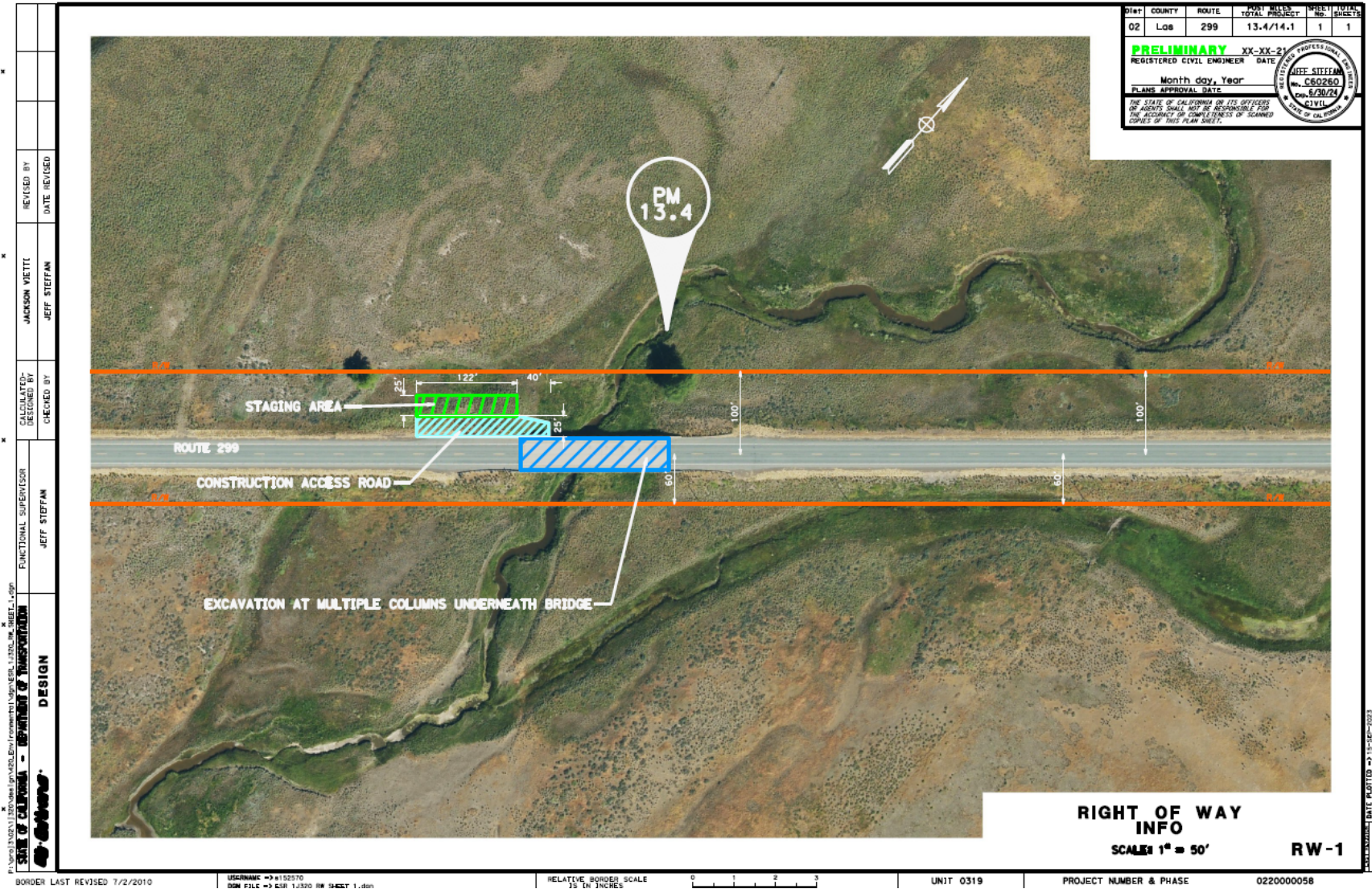


Figure 1: Project Area at Bridge 07-0005

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**Receiving Waters, Impacts and Mitigation Information**

The following table shows the receiving waters associated with each impact site.

**Table 1: Receiving Waters Information**

Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant
07-0005	Pit River	Stream Channel	526.61	Pit River	MUN, AGR, REC-1, REC-2, WARM, COLD, SPWN, WILD	Aluminum, Iron, Nutrients, Organic Enrichment, Dissolved Oxygen

**Individual Direct Impact Locations**

The following tables show individual impacts.

**Table 2: Individual Temporary Fill/Excavation Impact Information**

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
07-0005	41.11497	-121.15498	No	0.01	2.6	8



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## **FINDINGS FOR CEQA EXEMPT PROJECT**

The Central Valley Water Board has determined that the Project is exempt from review under CEQA pursuant to California Code of Regulations, title 14, section 15061.

Specifically, the issuance of this Order and the activities described herein meet the exemption criteria under California Code of Regulations, title 14, section 15301, Existing Facilities, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Additionally, the Central Valley Water Board concludes that no California Code of Regulations, title 14, section exceptions to the CEQA exemption apply to the activities approved by this Order.

The Central Valley Water Board will file a Notice of Exemption with the State Clearinghouse within five (5) working days from the issuance of this Order. (California Code of Regulations., title 14, section 15062.)

## DISTRIBUTION LIST

United States Environmental Protection Agency  
Region 9, San Francisco  
[R9cwa401@epa.gov](mailto:R9cwa401@epa.gov)

Water Quality Certification Program  
State Water Resources Control Board  
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