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## Central Valley Regional Water Quality Control Board

16 July 2021

Matt Brown  
U.S. Fish and Wildlife Service  
10950 Tyler Road  
Red Bluff, CA 96080

**NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD AMENDED ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION FOR SMALL HABITAT RESTORATION PROJECTS FILE NO. SB12006GN FOR U.S. FISH AND WILDLIFE SERVICE, MILL CREEK WARD DAM SEDIMENT ROUTING PROJECT, TEHAMA COUNTY, WDID NO. 5A52CR00213**

On 25 June 2021, U.S. Fish and Wildlife Service (Applicant) filed a Notice of Intent (NOI) requesting coverage under the 27 March 2013 State Water Resources Control Board Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN (General Certification Order) for the Mill Creek Ward Dam Sediment Routing Project (Project). After review of the NOI 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 the General Certification Order.

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 is enclosed. The General Certification Order may also be accessed on the [State Water Resources Control Board's Clean Water Act Section 401 – Certification and Wetlands Program Web Page](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders_wb.shtml) ([http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders\\_wb.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders_wb.shtml))

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. Coverage under the General Certification Order is no longer valid if the Project, as described, is modified.

### **PROJECT DESCRIPTION**

The purpose of the proposed project is to address gravel deposition problems in front of the existing headgate and Ward Dam Fish Ladder exit on Mill Creek, as well as

deposition in the fish ladder itself, so that sufficient anadromous fish passage and agricultural water diversion goals are achieved. The project will involve installation of three to five Bendway weirs on both banks of Mill Creek, upstream of Ward Dam. Higher velocity water and suspended, cobble-sized bedload will be forced back into the center of Mill Creek channel during high flow events, which will reduce the potential for gravel and cobble deposition in front of the headgate and fish ladder.

**Description of Direct Impacts to Waters of the State**

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

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

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Stream Channel	0.22	300	150

**Table 2: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Stream Channel	0.11	372	123
Riparian Zone	0.03	140	98

**Project Location**

County: Tehama County

Section 3, Township 25N, Range 2W

Latitude: 40.053170 and Longitude: -122.076607

**FINDINGS OF APPLICABILITY**

This letter serves as formal notice that Order No. SB12006GN is applicable to the Mill Creek Ward Dam Sediment Routing Project. Your waste discharge identification (WDID) number is 5A52CR00213.

**REPORTING**

A Notice of Completion (NOC) shall be submitted by the applicant no later than 30 days after the 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.

Failure to comply with the terms and conditions of Order No. SB12006GN may expose U.S. Fish and Wildlife Service to enforcement action pursuant to the Clean Water Act and California Water Code.

If you require further assistance, please contact me by phone at (530) 224-4848 or by email at [Jerred.Ferguson@waterboards.ca.gov](mailto:Jerred.Ferguson@waterboards.ca.gov). You may also contact Lynn Coster, Senior Environmental Scientist of the Storm Water and Water Quality Certification Unit, by phone at (530) 224-2437 or by email at [Lynn.Coster@waterboards.ca.gov](mailto:Lynn.Coster@waterboards.ca.gov).

*Original Signed by Bryan Smith*  
(for) Patrick Pulupa  
Executive Officer

JTF: db

Enclosure: Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN (Applicant Only)

cc via  
email: U.S. EPA, Region 9, San Francisco  
Water Quality Certification Program, SWRCB, Sacramento  
Matthew Roberts, U.S. Army Corps of Engineers, Redding  
Jim Early, U.S. Fish and Wildlife Service, Redding  
Brian Humphrey, California Department of Water Resources, Red Bluff  
Tricia Bratcher, California Department of Fish and Wildlife, Redding