Central Valley Regional Water Quality Control Board

18 October 2023

Jessica Pecha
Tehama County Public Works
9380 San Benito Avenue
Gerber, CA 96035

NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION FOR REGIONAL GENERAL PERMIT 8 (ORDER WQ 2023-0061-DWQ), TEHAMA COUNTY PUBLIC WORKS, FLOURNOY AVENUE OVER BURCH CREEK BRIDGE REMOVAL PROJECT, TEHAMA COUNTY, WDID NO. 5A52CR00232

This letter serves to notify Tehama County Public Works the Flournoy Avenue over Burch Creek Bridge Removal Project (Project) is certified under State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification for Regional General Permit 8 for emergency repair activities (General Order; Order WQ 2023-0061-DWQ). The project site is located on Flournoy Avenue over Burch Creek, approximately 1,000 feet east of the intersection of Flournoy Avenue and Kirkwood Road, latitude 39.8845, longitude -122.1744, in Corning, California.

This Notice of Applicability (NOA) is being issued to Tehama County Public Works (hereinafter Enrollee) by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) under the General Order pursuant to Section 3838 of the California Code of Regulations. A copy of the General Order is enclosed and may also be accessed on State Water Resources Control Board's General Orders Web Page (https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html #yr_2023).

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. The Project is described in the Notice of Intent requesting coverage and supplemental information (Application Package) submitted by the Enrollee and is limited to the impacts identified in the Application Package and described in this NOA. If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

I. EMERGENCY WORK DESCRIPTION

Bridge #8C0310 on Flournoy Avenue experienced unrepairable damage and bank erosion on 9 January 2023 during a severe rain event. A large scour hole has formed at the northeast wingwall with undermining present. In addition to removing the collapsed bridge, the Enrollee is proposing to armor both sides of the stream channel with the minimum amount of rock slope protection (RSP) necessary to prevent impending loss of property and roadway in the upcoming winter season.

The specific work activities include:

- Cut a temporary road into Burch Creek Channel along the west approach where the current section of the bridge collapsed and 40 to 60 feet of embankment has been lost.
- Remove organic debris impinged on the remaining piers (estimated between 70 and 90 cubic yards of debris).
- Remove the entire bridge structure (collapsed and standing) from the channel to mitigate the threat of further erosion on both the east and west embankments.
- Once all debris and the structure has been removed, armor the east and west embankments with approximately 500 cubic yards of ¼ ton rock slope protection (RSP). The RSP location will be 120 feet long on the east bank, 50 feet long on the west bank, and will consist of approximately 0.07 acres of permanent fill. Geotextile fabric and will be placed along with ¼ ton riprap rock at an approximate 2:1 slope.

II. DESCRIPTION OF DIRECT IMPACTS TO WATERS OF THE STATE

Total Project impacts are summarized in Tables 1 and 2. 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[1]

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.17	100	130

[1] 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.

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.07	500	170

III. COMPENSATORY MITIGATION

Compensatory mitigation is required for permanent physical loss and permanent ecological degradation of a water of the state. The Enrollee is required to provide compensatory mitigation for the authorized impact to 0.07 acre of stream channel by purchasing 0.07 acre of stream channel credits from a U.S. Army Corps of Engineers approved mitigation bank or 0.07 Aquatic Resource Credit from the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board within 45 days of initiating the emergency project.

IV. REPORTING

The Enrollee must notify the Central Valley Water Board no less than forty-eight (48) hours prior to initiating the emergency project.

A Notice of Completion (NOC) shall be submitted by the Enrollee within 45 calendar days of completion of Project activities. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the Enrollee's Notice of Intent.

Failure to comply with the terms and conditions of this NOA may expose the Enrollee to enforcement action pursuant to the Clean Water Act and California Water Code.

V. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

If you have any questions regarding this Notice of Applicability, please contact Daniel Warner at (530) 224-4848 or Daniel.Warner@waterboards.ca.gov.

Original Signed by Bryan J. Smith, P.E. 10/18/2023

(for) Patrick Pulupa, Executive Officer Date
Central Valley Regional Water Quality Control Board

DLW: db

cc via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Lillian Jepson, U.S. Army Corps of Engineers, Sacramento
Scott Salembier, Dokken Engineering, Folsom

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Attachment A – Project Maps

Figure 1: Project Location Map

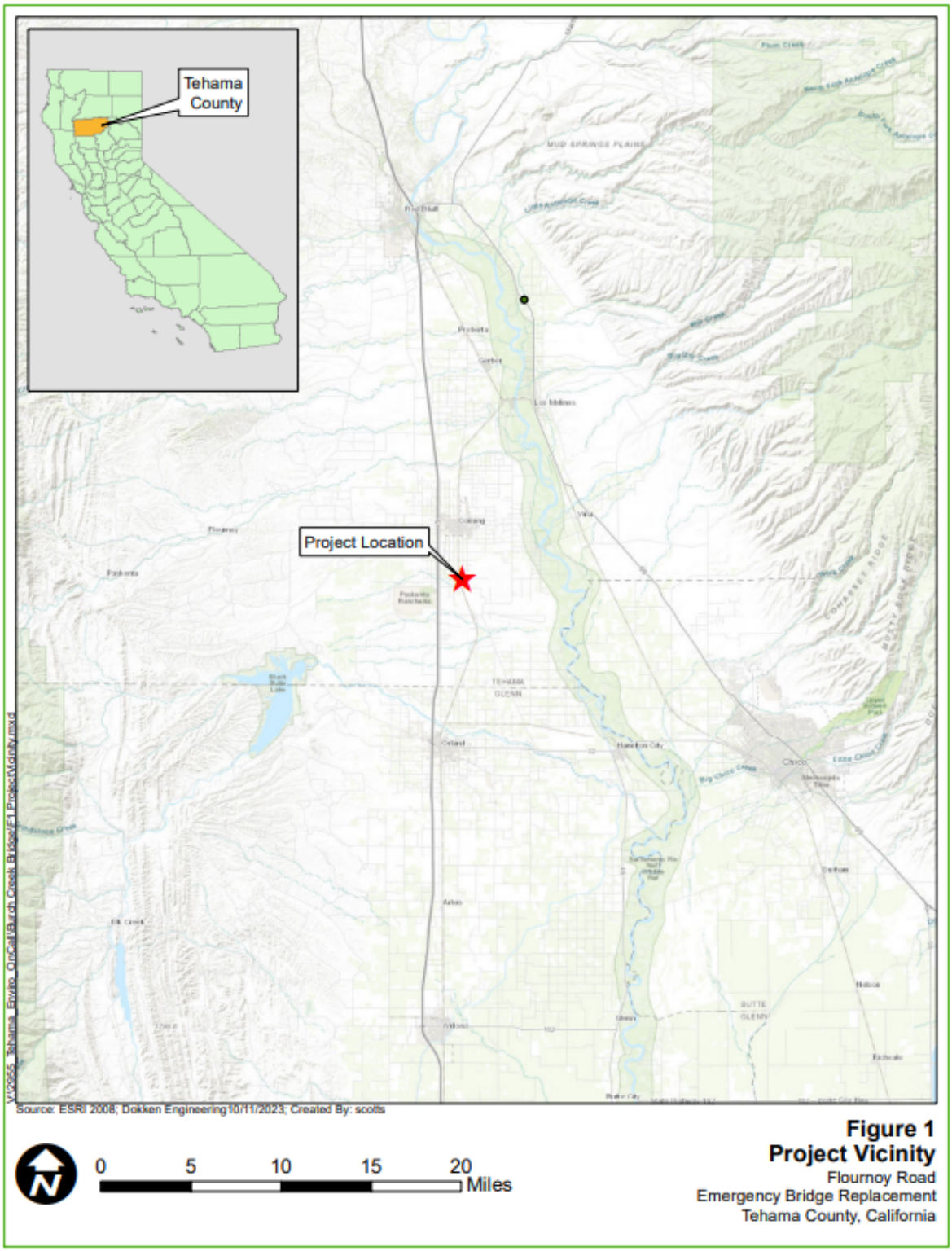

Figure 2. Project Location Map

Figure 3. Project Features

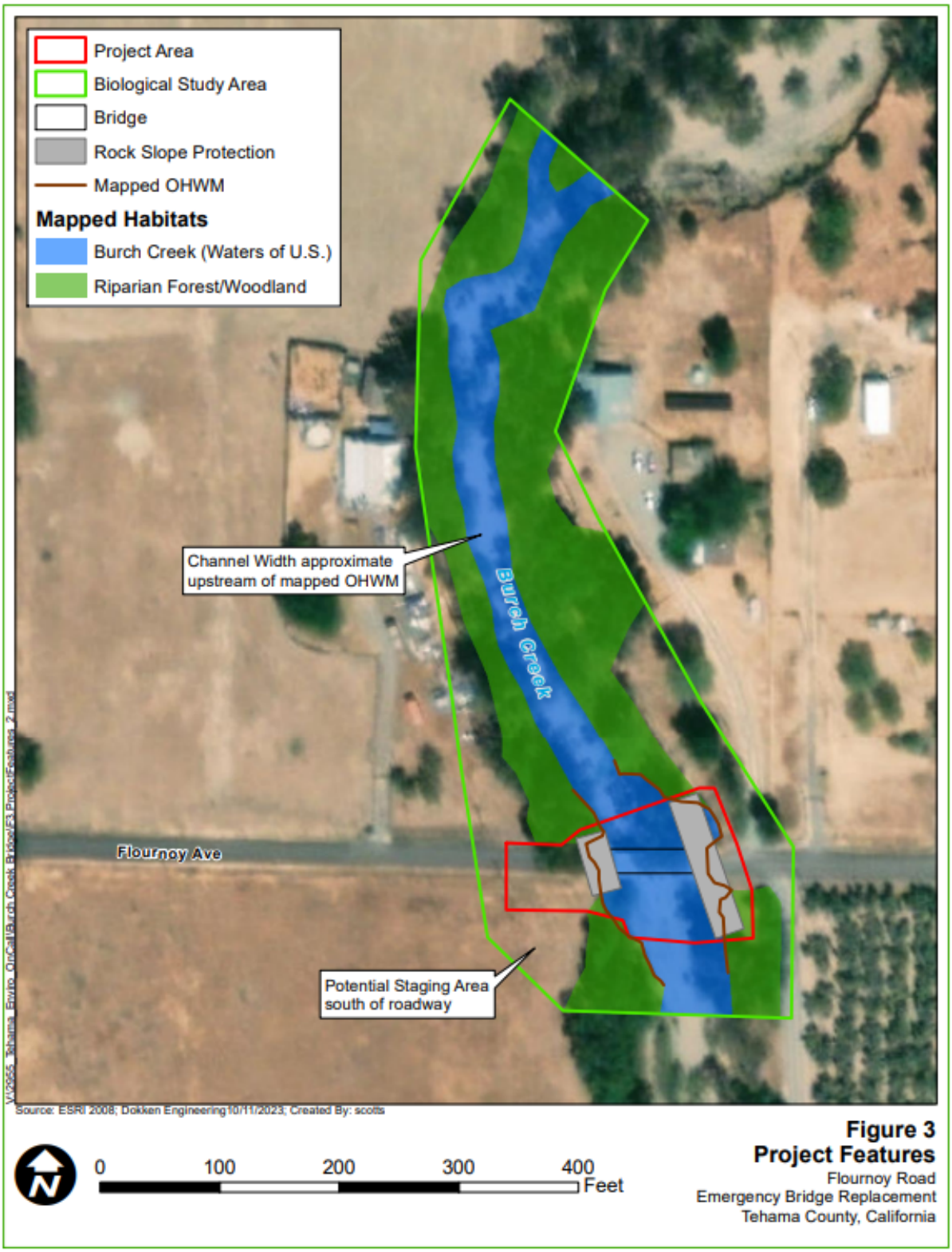

Figure 4. Project Impacts Map