



Central Valley Regional Water Quality Control Board

18 October 2023

Michael Mogen
California Department of Transportation
1657 Riverside Drive, MS 17
Redding, CA 96001

**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,
WESTWOOD BEACH CULVERTS 02-3J630 (WDID NO. 5A32CR00239), PLUMAS
COUNTY**

On 25 September 2023, California Department of Transportation (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Westwood Beach Culverts 02-3J630 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). 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 Westwood Beach Culverts 02-3J630 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 at: [Clean Water Act Section 401 – Certification and Wetlands Program | California State Water Quality Control Board](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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

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

I. Public Notice

The Central Valley Water Board provided public notice of the application from 29 September 2023 to 20 October 2023. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The proposed Project will replace and repair a deteriorating culvert along State Route 147 in Plumas County. Work will consist of replacing the existing headwall with a minor concrete end treatment and replacing the existing 24-inch corrugated steel pipe (CSP) culvert in-kind using a cut and cover method. The pipe will be extended 1-2 feet with an elbow joint to deflect flow into existing rock slope protection (RSP). The work will be completed during the dry season when no water is flowing in the channel. The trimming of vegetation will be done by hand with the root balls of vegetation retained. Equipment will stay on the paved road. Vehicles will refuel off-site.

III. Project Location

Address: Plumas County State Route 147 at post-mile 3.09

County: Plumas County

Nearest City: Westwood

Latitude: 40.2139020° and Longitude: -121.0673696°

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, May 2018 (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/). 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 Tables 2 and 3 of Attachment B.

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

The Project will impact 0.0056 acre of Waters of the United States, specifically an unnamed intermittent drainage. These impacts include temporary impacts of 0.0055 acre of stream channel and permanent impacts of 0.00009 acre of stream channel.

Total Project fill/excavation quantities for all impacts are summarized in Tables 1 and 2. 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 Tables 1 and 2.

Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts¹

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.0055	Not Applicable	63

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.00009	Not Applicable	2

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.

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,

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.

section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

VIII. Fees Received

An application fee of \$2,734.00 was received on 27 September 2023. 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 was required for the permanent impacts due to the scope and nature of the impacts and waterbody affected. The Project proposes to improve the flow conditions and capacity of the existing drainage thereby improving water quality. 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 Jerred Ferguson at (530) 224-4784 or Jerred.Ferguson@waterboards.ca.gov.

Original Signed by Clint Snyder, AEO
(for) Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

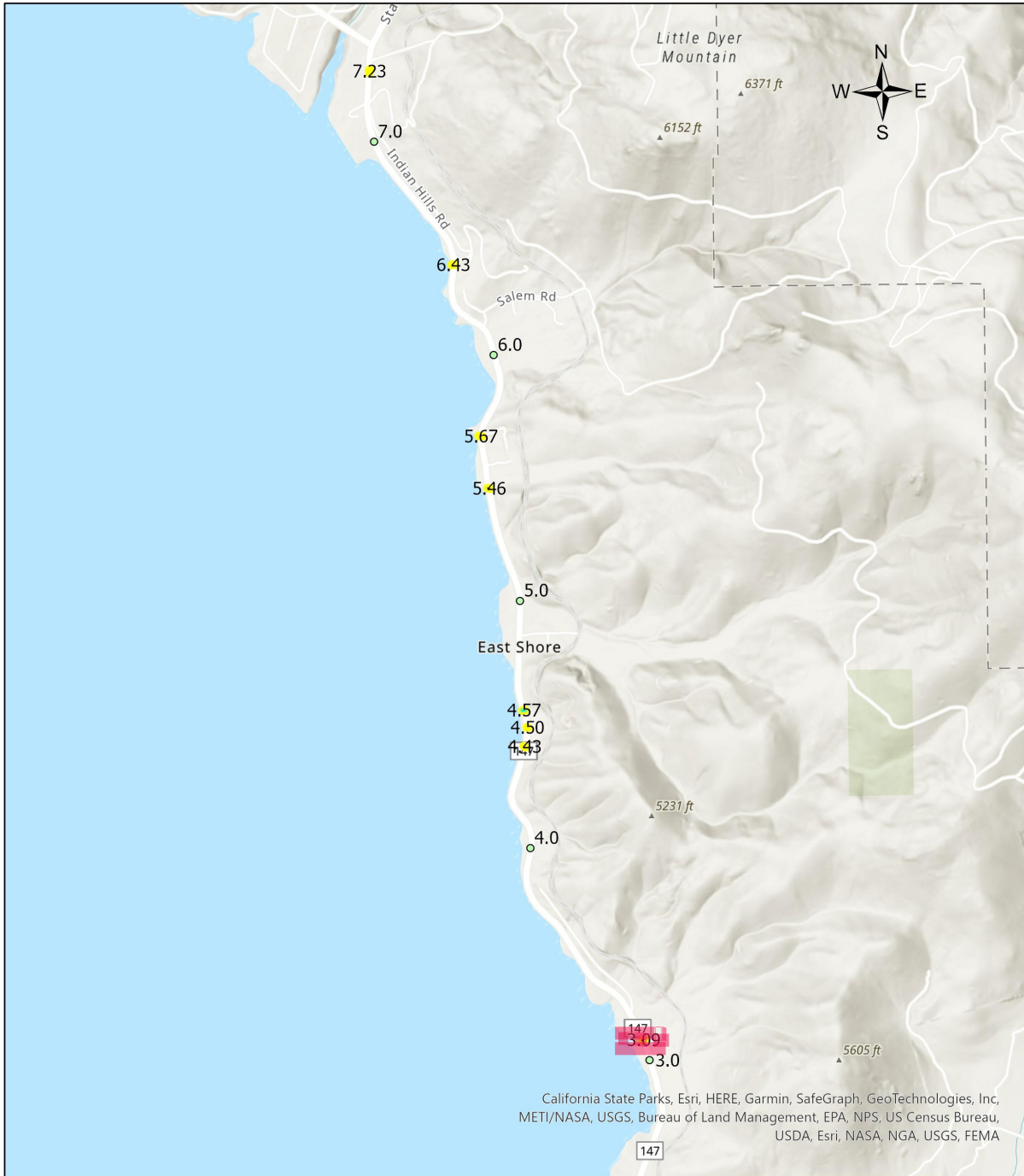
10/18/2023
Date

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 Maps
Attachment B - Receiving Water, Impact, and Mitigation Information
Attachment C - CEQA

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Figure 1. Project Location Map



Westwood Beach Culvert Locations

Legend

ESL

0 0.25 0.5 1 Miles

Scale: 1:31,000

Spatial Reference
Name: NAD 1983 2011 StatePlane California I FIPS
0401 Ft US

Figure 2. Impacts Location Map



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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	California Rapid Assessment Method (CRAM) ID
Stream Channel	Unnamed	Stream	518.41	Lake Almanor	POW, REC-1, WARM, COLD, SPWN, WILD	Mercury	Not Applicable

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
Stream Channel	40.2139020°	-121.0673696°	No	0.0055	Not Applicable	63

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Stream Channel	40.2139020°	-121.0673696°	No	0.00009	Not Applicable	2

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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.