

ATTACHMENT B
Notice of Intent Form
DRAFT Order No. R1-2024-0002

Purpose of the Rural Roads General Order

The North Coast Regional Water Quality Control Board (Regional Water Board) developed the Rural Roads General Order (Order) to expedite the planning, consultation, and permitting of projects that include rural road and watercourse crossing construction or reconstruction activities in the North Coast Region. The Order is primarily intended to address controllable erosion and sediment discharges on existing roads and crossings; however, it can also be used to effectively regulate new construction activities or to comply with enforcement requirements.

Best Management Practice Requirements for the Rural Roads General Order

This Order requires landowners and/or their responsible agents (Applicant) that are seeking authorization to adhere to pre-defined Best Management Practices (BMPs) applicable to site conditions to avoid, minimize, or mitigate impacts to water quality.

Conformance with this Order requires the Applicant to 1) certify their understanding of the erosion and sediment control BMPs identified by the Pacific Watershed Associates (PWA) in the Handbook for Forest, Ranch and Rural Roads (2015) or other similar guidance documents referenced in the Order; and 2) certify that their proposed activity conforms with the BMP standards identified in the PWA Handbook as Characteristics of Storm-Proofed Roads (Page 229, Figure 204). The PWA Handbook can be downloaded for free at the following locations: [Updated Handbook for Forest, Ranch and Rural Roads | Pacific Watershed Associates](#) or <https://www.pacificwatershed.com/roadshandbook>. An accompanying video produced by the Mendocino County Resource Conservation District and PWA titled Overview of the Handbook for Forest, Ranch & Rural Roads can be found at: [Storm-Proofing Forest, Ranch and Rural Roads \(Eel River Roads Video\) – YouTube](#) or <https://www.youtube.com/watch?v=U1bNYKLgZ4A>.

Compensatory Mitigation for Road and Watercourse Crossing Projects

Road and watercourse crossing construction, reconstruction, and use have the potential to adversely affect waters of the state through either temporary or permanent impacts, or both. Regional Water Board staff will work with Applicants to determine whether a project will result in only temporary impacts or if the project requires compensatory mitigation to offset permanent impacts. Projects that reduce the risk of sediment discharges and enhance channel conditions by improving existing road segments or watercourse crossings are expected to result in long term benefits to water quality. For new road and watercourse crossing projects or for projects done in response to a regulatory enforcement order, compensatory mitigation may be required to offset permanent impacts to waters of the state.

Enrolling Projects Under the Rural Roads General Order

The following provides an overview of the steps that occur *before* a project is permitted under the Order.

Step 1: Determine if your project requires a permit. This Order provides Regional Water Board authorization for projects conducting work in, or in locations that can result in impacts to waters of the state. Projects that do not have the potential to impact water of the state do not need permit coverage. Contact the Regional Water Board if you need assistance determining whether your project requires a permit and can be enrolled under the Order.

Step 2: Read the Order (R1-2024-0002). Applicants must become familiar with the Order prior to submittal of a Notice of Intent (NOI). Not all projects will qualify for coverage based on the type of activity and other considerations.

Step 3: Review the PWA Handbook Materials. Applicants shall familiarize themselves with the erosion and sediment control principles identified in the Pacific Watershed Associates' Handbook for Forest, Ranch and Rural Roads (2015) and other supporting materials. See links on the previous page to download a free copy of the PWA Handbook and the accompanying overview video. If the links are no longer available, Regional Water Board staff can provide applicants with an electronic copy of the Handbook.

Step 4: Pre-application consultation. Projects often benefit from pre-application consultation with the Regional Water Board during the early stages of planning and design. Applicants are strongly encouraged to request a pre-application consultation as soon as the project concept is developed, or at least 30 days prior to submitting the NOI. During the pre-application consultation, Regional Water Board staff will review project materials and provide project-specific guidance for navigating the approval process. The duration of the pre-application consultation will depend on project complexity, design, and planning.

Note that local government and other regulatory agencies, such as the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, may also have authority separate from and in addition to this Order to authorize rural road construction and reconstruction projects. Applicants are encouraged to collaborate with other applicable regulatory agencies in coordination with the Regional Water Board during project design, especially when fish passage and/or listed species are considered.

Step 5: Submit a completed NOI and application fee. The NOI must be electronically submitted to the Regional Water Board at the following email address: NorthCoast@waterboards.ca.gov. The application fee must be mailed to the Regional Water Board office at 5550 Skylane Blvd., Suite A, Santa Rosa, California 95403.

The five different project types listed below are available for coverage under this Order and are subject to different fees.

1. Existing Road or Watercourse Crossing Reconstruction Projects
2. Grant Funded Projects
3. Roads and trail projects on California State Parks lands

4. New Road or Watercourse Crossing Construction Projects
5. Projects Required Through a Regulatory Enforcement Action

Projects that meet the eligibility criteria from 1 through 3 above currently qualify for Discharge Category D, from the State Water Board's fee schedule. Projects eligible for categories 4 through 5 will likely fall into Discharge Category A, Fill and Excavation Discharges as described in the State Water Board's fee schedule. The fee calculator can be found online at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/#fees. The calculator is useful for estimation of fees, but project proponents must confirm the correct fee amount through consultation with the Regional Water Board prior to submitting payment. Appropriate fees will be determined by the current fee regulations at the time of NOI submittal for an individual project.

- Step 6: Completeness determination.** Within 30 calendar days of receipt of an NOI, Regional Water Board staff will determine whether the NOI is complete and will transmit the determination to the Applicant in writing. If the NOI is deemed incomplete, the Regional Water Board will specify in writing the information needed to complete the NOI. The Regional Water Board will determine its completeness within an additional 30 days after receipt of any required information. A pre-application consultation (Step 4) is recommended to reduce the likelihood of receiving an incomplete determination.
- Step 7: Notice of Applicability or Exclusion.** Once the NOI is deemed complete, and the Executive Officer determines all Order conditions have been satisfied, the Regional Water Board will issue an approval in the form of a Notice of Applicability (NOA) to the Applicant. If, upon conclusion of the additional 30-day NOI review period, the NOI is still incomplete, the Regional Water Board, at its discretion, may specify in writing the information still needed to complete the NOI or issue a denial in the form of a Notice of Exclusion.

Implementation of Projects Enrolled Under the Rural Roads General Order

The following provides an overview of the steps that occur *after* a project has been approved for coverage under the Order.

- Step 8: Project implementation.** Project implementation may begin if other required local, state, and federal permits or authorizations have been acquired.
- Step 9: Project monitoring.** Applicants must conduct post-completion monitoring and reporting as described in section IV of the Order to ensure BMPs and compensatory mitigation were implemented as designed and are functioning properly and self-sustaining, or whether additional work is needed.
- Step 10: Submit a Notice of Project Complete Letter.** At the end of project construction and any required monitoring, the Applicant shall submit a signed Notice of Termination (Attachment D) along with their final monitoring report certifying that the project meets the definition of a completed project provided in section VI.e of the Order.

NOTICE OF INTENT
TO COMPLY WITH THE TERMS OF THE
NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD
RURAL ROADS GENERAL ORDER
ORDER NUMBER R1-2024-0002

Regional Water Quality Control Board (Regional Board) - <i>FOR AGENCY TRACKING USE ONLY</i>			
WDID:	Regional Board Office:	Date NOI Received:	Check No:

I. PROJECT APPLICANT

Project Title:	
Applicant Name:	
Street Address:	
City, County, State, Zip:	
Telephone:	
E-mail:	

II. PROPERTY OWNER Check Box if Same as Project Applicant

Name:	
Street Address:	
City, County, State, Zip:	
Telephone:	
E-mail:	

III. PROJECT LOCATION

A. Address or description of project location.			
B. Check box to verify that a map of at least 1:24000 (1" = 2000') detail of the proposed project site (e.g., USGS 7.5 minute topo map) is enclosed:			<input type="checkbox"/> Project Map Attached
C. County:			
D. Coordinates (provide latitude/longitude in decimal degrees)			
Latitude:		Longitude:	
E. Name of the receiving watershed or water body:			

IV. GENERAL PROJECT DESCRIPTION and SCHEDULE

A. Provide a general description of the project goals and objectives. Attach any diagrams, drawings, plans, and/or maps to this application. <i>(Attach additional pages as needed)</i> :				
B. Estimated Project Schedule:	Beginning (Month / Year)		Ending (Month / Year)	
C. Seasonal Work Period:				
D. Estimated Total Number of Workdays:				
E. Identify the applicable pollutant discharge prevention and other environmental protection measures to be implemented during construction. Describe project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable (see alternatives analysis Attachment B).				
F. Will the proposed project require work in the wetted portion of the aquatic resource? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, describe the work that will be required, the type of equipment to be used, whether diversion or dewatering will be required and method and design if required, and how long equipment will be in the wetted portion of the aquatic resource.				

V. PROJECT ATTRIBUTES

<p>Applicants must describe the attributes of their project by either:</p> <p>(1) completing all pertinent road and watercourse crossing related information in sections A through F below, and the “storm-proofing characteristics” in section G that will apply upon project completion; or</p> <p>(2) submitting detailed project descriptions and design attributes as an attachment to this application and checking the box below.</p> <p><input type="checkbox"/> Detailed project information is attached (proceed directly to Section VI)</p>
<p>Identify which project activities apply and complete all corresponding attribute sections:</p> <p><input type="checkbox"/> Road reconstruction activities (section A below)</p> <p><input type="checkbox"/> Crossing reconstruction activities (sections B and C below)</p> <p><input type="checkbox"/> New road construction activities (section D below)</p> <p><input type="checkbox"/> New crossing construction activities (sections E and F below)</p>

ROAD and WATERCOURSE CROSSING RECONSTRUCTION ACTIVITIES

Section A. Road Reconstruction Activities on Existing Roads

Length of road to be reconstructed (feet):		Length of road to be disconnected from streams (feet)	
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Section B. Existing Watercourse Crossing Reconstruction Activities

Number of watercourse crossings to be reconstructed:		Number and sizes (diameter and length) of culverted crossings:	
Number of rock-armored fill crossings:		Number of ford crossings:	
Number of vented fords:		Number of bridges:	

Section C. Watercourse Crossing Reconstruction Footprint

Total linear footprint of all crossing activities, including any rock armor (in stream length):		Total area of all crossing reconstruction activities, including any rock armor (measured in acres):	
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NEW ROAD and WATERCOURSE CROSSING ACTIVITIES

Section D. New Road Construction Activities

Length of new road construction:		Width of new road to be constructed:	
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Section E. New Watercourse Crossing Construction Activities

Total number of new watercourse crossings:		Number of culverted watercourse crossings:	
Number of rock-armored fill crossings:		Number of ford crossings:	
Number of vented fords:		Number of bridges:	

Section F. New Watercourse Crossing Construction Footprint

Total linear footprint of all new crossing activities, including any rock armor (in stream length):		Total area of all crossing construction activities, including any rock armor (measured in acres):	
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STORM-PROOFING CHARACTERISTICS (COMPLETE FOR ALL PROJECT TYPES)

Section G. Watercourse Crossing Characteristics

Check the “Yes” box for all characteristics that will be applied to the project. Check the “No” box for any characteristic deviations. Check the “N/A” box for characteristics that do not apply to the project. The Project applicant should provide details and justification for ALL deviations.

<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	All proposed watercourse crossings construction and/or reconstruction activities will include drainage structures (e.g., culverts, rock armored fill crossings, fords, and bridges) designed for the 100-year flood flow (including watershed products).
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	All project-related watercourse crossings will have no diversion potential (functional critical dips in place).

<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Culvert inlets have low plug potential (trash racks/deflectors installed where needed).
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Culverts will be installed at the base of the fill and in line with the natural channel.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Watercourse crossing culvert outlets will be protected from erosion (extend beyond base of fill, energy dissipation installed where needed)
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Stream crossing fills and bridge abutments will be stable, sufficiently compacted, and armored (where necessary) to minimize vulnerability to erosion.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Approaching road surfaces and ditches will be “disconnected” from streams and stream crossing culverts to the maximum extent feasible using road shaping and road drainage structures.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Class I (fish-bearing) stream crossings will meet California Department of Fish and Wildlife and National Marine Fisheries Service fish passage criteria.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Decommissioned stream crossings are excavated to exhume the original, stable, stream bed and channel sideslopes, and then stabilized with mulch and vegetation.

Section F. Road Surface Drainage Characteristics (Check “Yes, No, or N/A” for each characteristic)

<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Road surfaces and ditches are hydrologically “disconnected” from streams and stream crossing culverts to the extent feasible.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Road surface runoff will be dispersed, rather than collected and concentrated.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Ditches will be drained frequently by functional ditch relief culverts, rolling dips or crossroad drains.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Outflow from ditch relief culverts will not discharge to streams.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Ditch relief culverts with gullies that deliver to a stream will be removed or dewatered.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Decommissioned roads will have permanent drainage and will not rely on ditches.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Fine sediment discharges to streams from roads, cutbanks and ditches will be minimized by utilizing seasonal closures.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	A variety of surface drainage techniques will be utilized including berm removal, road surface shaping (outsloping, insloping or crowning) rolling dips, ditch relief culverts, waterbreaks and other measures to disperse road surface runoff and reduce or eliminate sediment deliver to the stream.

Section G. Road and Landing Fills Characteristics (Check “Yes, No, or N/A” for each characteristic)

<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Unstable and potentially unstable road and landing fills that could deliver sediment to a stream will be excavated (removed) or structurally stabilized.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Excavated spoils will be placed in locations where eroded materials will not enter a water of the state.
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Excavated spoils will be placed in locations where they will not cause a slope failure or landslide.

VI. PROJECT IMPACTS AND MITIGATION

Watercourse Crossing Upgrades and Reconstruction to Current Standards
 Upgrading or reconstructing a watercourse crossing to current standards can impact a stream channel, but those impacts are considered temporary and self-mitigating by design. Crossing upgrades to the standards of this Order do not require compensatory mitigation to offset impacts because they are considered an enhancement to stream functions that will likely result in better water quality protection.

New Watercourse Crossing Construction
 New watercourse crossing (where one does not currently exist) construction is considered a new permanent impact to a water of the state that requires compensatory mitigation. Applicants should complete the table below to summarize the total impacts to waters of the state from new watercourse crossing construction activities. These amounts are used to determine the appropriate compensatory mitigation needed to offset the project impacts.

A. For each of the waterbody types listed below, indicate the areas in acres and linear feet that will be temporarily and permanently impacted by the project, as applicable. See Attachment B for impacts and mitigation definition and types.

Waterbody Type	Temporary Impacts		Permanent Impacts	
	Acres	Linear Feet	Acres	Linear Feet
Wetland				
Riparian				
Streambed/Stream bank				
TOTAL:				

B. Restoration of temporary Impacts: Describe the nature of the temporary impacts and how the aquatic resources will be restored. If riparian vegetation is cut or removed, attach a restoration plan describing how ecological functions will be restored following project implementation.

C. Mitigation of new permanent Impacts: Describe the nature of the permanent impacts from the project listed above and the compensatory mitigation to offset those impacts to waters of the state. A compensatory mitigation plan should be proposed with this NOI and developed in a manner that offsets the same type or character of impacts. Please describe the type and amount (area and linear feet) of mitigation proposed here or name a separate plan where it is described in detail.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

All project activities conform with the measures and environmental impacts assessment associated with the Order's initial study and mitigated negative declaration. Yes No N/A

A separate CEQA analysis has been conducted for the project and is detailed below:

State Clearinghouse Number:
 CEQA Lead Agency:

VIII. OTHER DOCUMENTATION AND COMPLIANCE

Identify the permits/authorization that have been secured or being sought for the project:

- USACE Section 404 Clean Water Act Permit
- USFWS Biological Opinion/Incidental Take Permit
- NMFS Biological Opinion/Incidental Take Permit
- CDFW Lake or Streambed Alteration Agreement (FGC 1600)
- CDFW Incidental Take Permit (FGC Section 2081)
- Coastal Development Permit or Consistency Determination. CCC/Local Coastal Plan (LCP)

IX. APPLICATION REQUIREMENTS AND FEES

Permit:	Submit Application to the following:
Rural Roads General Order No. R1-2024-0002	The NOI must be electronically submitted to the Regional Water Board at: northcoast@waterboards.ca.gov. The NOI application fee can be mailed to the Regional Water Board at: 5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403.
Fees:	Fees must be submitted with the NOI and are subject to the most current Dredge & Fee calculator. Refer to the Fees section of the Dredge/Fill (401) and Wetlands program web site for the most current fee information. https://www.waterboards.ca.gov/water_issues/programs/cwa401/#fees .

X. SIGNATURE / CERTIFICATION

North Coast Regional Water Quality Control Board: Notice of Intent to Comply with the Terms of Water Quality Certification and Waste Discharge Requirements for Rural Roads Projects

I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in accordance with a process designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Legally Responsible Person

Date

Printed Name

Duly Authorized Representative Signature

Date

Printed Name