



Central Valley Regional Water Quality Control Board

11 February 2026

Greg Howell
19 Top Flight Court
Chico, CA 95928

NOTICE OF APPLICABILITY; STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER NO. 2004-0004-DWQ, GREG HOWELL, HICKS LANE TOWING BUSINESS DEVELOPMENT PROJECT (WDID NO. 5A04CR00385), BUTTE COUNTY

On 23 December 2025, Greg Howell, (Applicant) submitted a Notice of Intent (NOI) requesting coverage under State Water Resources Control Board Water Quality Order 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (General Order). 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 Hicks Lane Towing Business Development Project (Project) qualifies for enrollment under the General Order.

The Central Valley Water Board is certifying this Project under Water Quality Order No. 2004-0004-DWQ. This Notice of Applicability (NOA) is being issued at the request of Greg Howell (hereinafter Enrollee) under the General Order pursuant to Section 3838 of the California Code of Regulations.

NOA Effective Date: 11 February 2026

NOA Expiration Date: 11 February 2031

A copy of the General Order is enclosed. You can also access the General Order on [State Water Resources Control Board's Adopted Orders Web Page](#) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf).

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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

I. Public Notice

The Central Valley Water Board provided public notice of the application from 26 December 2025 to 16 January 2026. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The project proposes the development of an approximately 11.1-acre parcel. Development plans include clearing and grubbing of 1.85 acres for the construction of an asphalt driveway approach (within county right-of-way), gravel driveway, parking area, storage yard, and office building. Proposed utilities include a groundwater well, electric service, wastewater holding tank, and a future solar array. To mitigate storm water runoff, the project will utilize a bioretention facility to address the post-construction treatment of stormwater and will use a detention basin to limit post-development flows from the site to pre-development conditions. Site development will include the permanent fill of 0.11 acre of seasonal wetland swales (Seasonal Swale 1 and 2) with a total of 210 cubic yards of redistributed on-site clean earthen fill. Fill of these wetlands will result in a loss of hydrology to the remainder of Seasonal Swale 1 and will, therefore, indirectly impact the remaining 0.02 acre of the seasonal swale. The Project will permanently impact a total of 0.13 acre of waters of the state and will avoid impacts to all other seasonal wetland and ephemeral drainage features identified on the property.

III. Project Location

Address: Hicks Lane, Chico, California.

County: Butte County

Assessor's Parcel Number: 007-010-054

Nearest City: Chico

Section 04, Township 22 North, Range 01 East, MDB&M.

Latitude: 39.7881° and Longitude: -121.8699°

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/). 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.

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 is shown in Table 2 of Attachment B.

V. 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 Permanent Physical Loss of Area Impacts

| Aquatic Resources Type | Acres | Cubic Yards | Linear Feet |
|------------------------|-------|-------------|-------------|
| Seasonal Wetlands | 0.13 | 210 | |

VI. Description of Indirect Impacts to Waters of the State

The Central Valley Water Board recognizes the potential for indirect impacts to waters of the state associated with the Project.

VII. California Environmental Quality Act (CEQA)

On 8 October 2024, the Butte County Board of Supervisors, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2023120789) for the Project and filed a Notice of Determination (NOD) with the Butte County Clerk on 9 October 2024 and at the SCH on 21 October 2024. Pursuant to CEQA, the Central Valley Water Board has made Findings of Facts (Findings) which support the issuance of this NOA and are included in Attachment C.

VIII. Compensatory Mitigation

The Enrollee has agreed to provide compensatory mitigation or direct and indirect impacts, described in section V for permanent impacts.

IX. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Board to reconsider this NOA 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 NOA.

X. Fees Received

An application fee of \$4212.00 was received on 19 January 2026. 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 A- Fill & Excavation Discharges (Fee Code 84) with the dredge and fill fee calculator.

XI. Compensatory Mitigation for Permanent Impacts

Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

1. Purchase of Mitigation Credits by Enrollee for Compensatory Mitigation

- a. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of in-water work.
- b. The Enrollee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Enrollee and the seller of credits.

2. Total Required Compensatory Mitigation

- a. The Enrollee is required to provide compensatory mitigation for the authorized impact to 0.13 acre of seasonal swales by purchasing 0.13 acre of Vernal Pool Preservation Credits from the Meridian Ranch Mitigation Bank.
- b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 5. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

Table 2: Total Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area

| Aquatic Resource Type | Mitigation Type | Units | Est. | Re-est. | Reh. | Enh. | Pres. | Unknown |
|-----------------------|-----------------|-------|------|---------|------|------|-------|---------|
| Vernal Pool | Mitigation Bank | Acres | | | | | 0.13 | |

XII. 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 Clint E. Snyder, AEO

2/11/2026

For Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

Date

Enclosure: State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (General WDRs)

Attachments: Attachment A - Project Map
Attachment B - Receiving Waters, Impacts, and Mitigation Information
Attachment C – California Environmental Quality Act

cc

via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Jeff Olberding, Olberding Environmental, Inc., Folsom
Caroline Sailor, Olberding Environmental, Inc., Folsom

Attachment A
Project Maps

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Figure 1. Site Location Map



Figure 1: Regional Map
Hicks Lane Property
Butte County, CA



193 Blue Ravine Road, Sta. 185
Folsom, California 95830
Phone: (916) 985-1188

Map Revision Date: 11/13/2019

Figure 2. Waters of the State

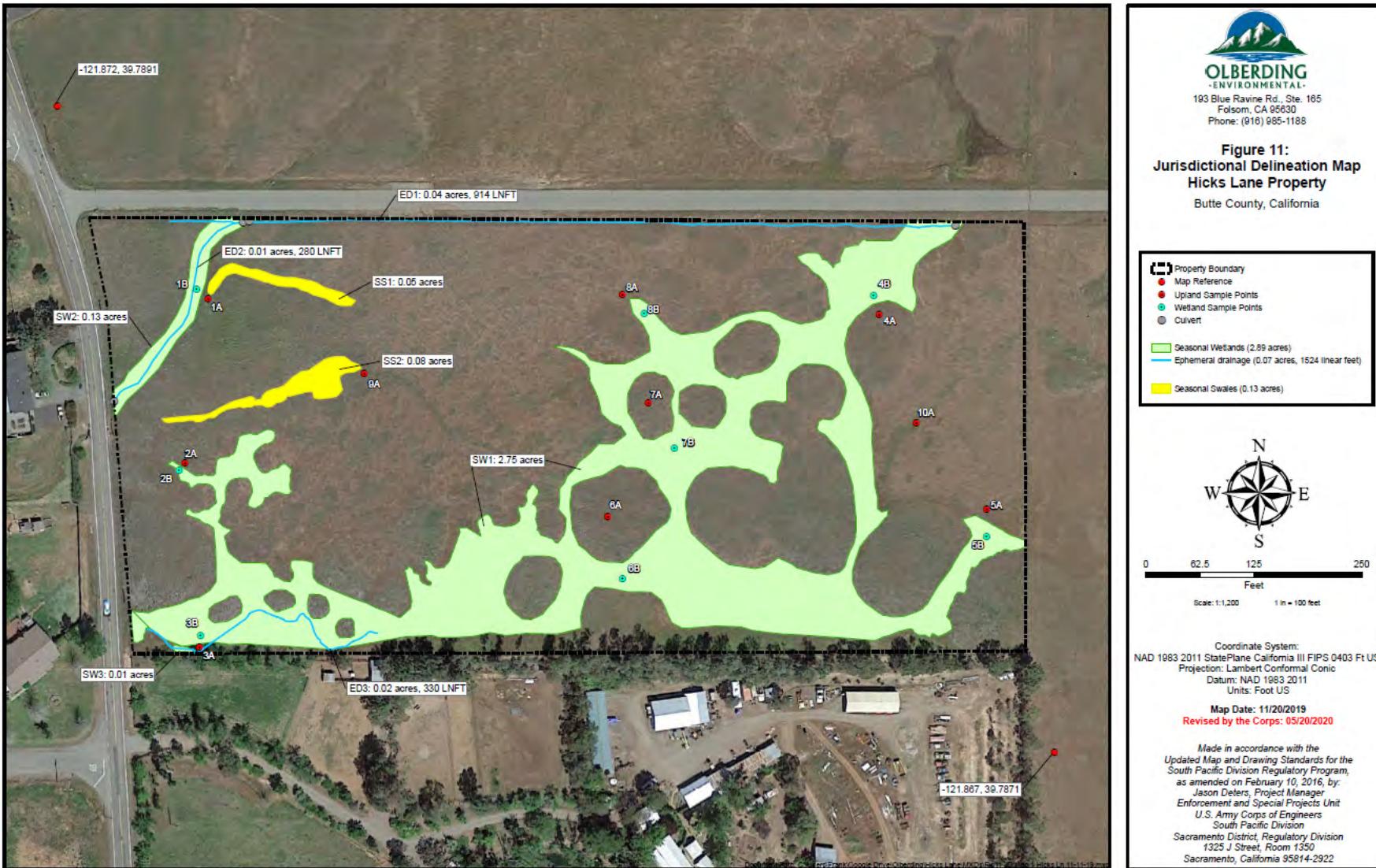


Figure 3. Impacts to Waters of the State

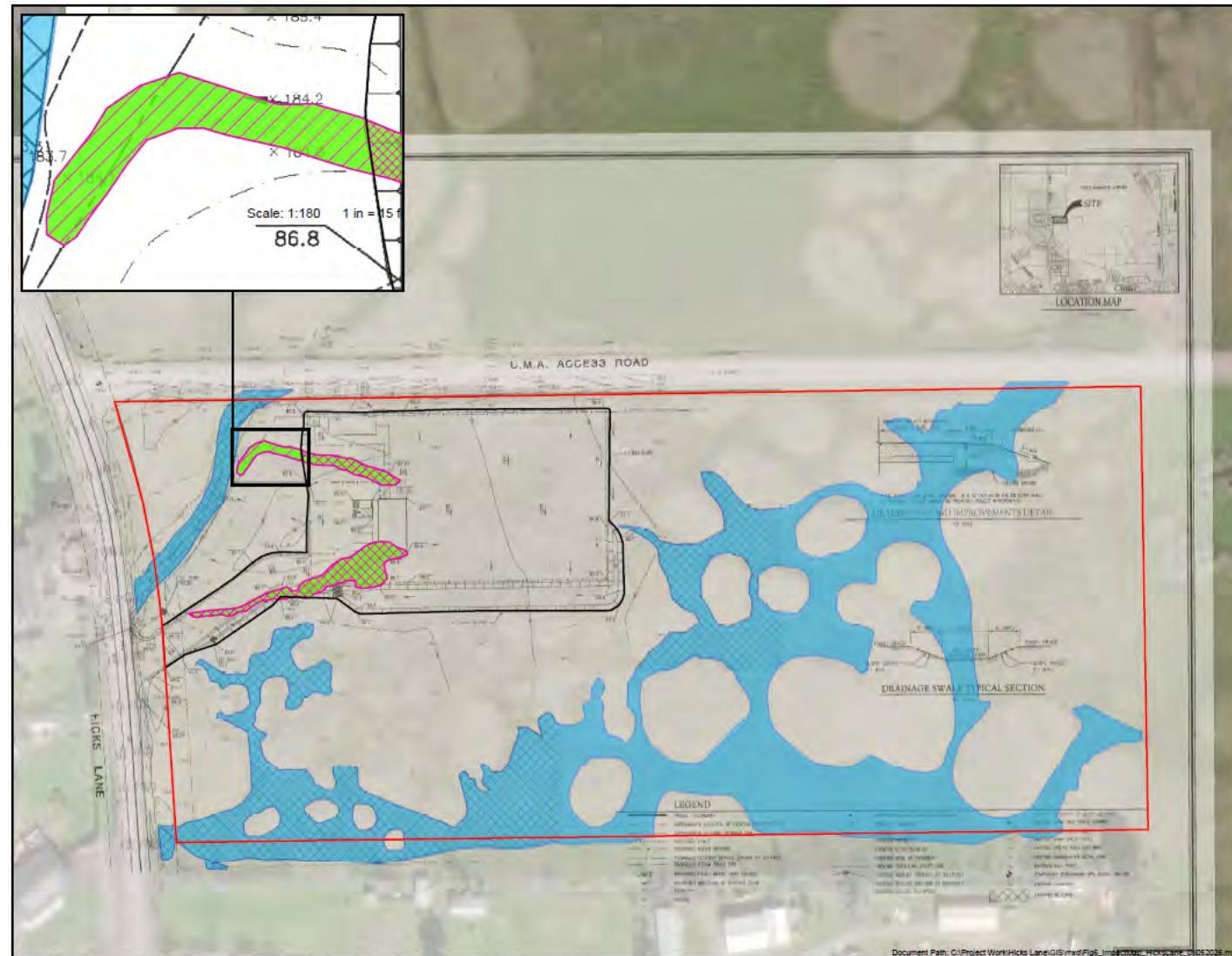


Figure 6:
Aquatic Features Impact Map
Hicks Lane Property
Butte County, California

| |
|--|
| Property Boundary (11.08 ac) |
| Proposed Project Boundary |
| Seasonal Swales (0.13 AC) |
| Seasonal Wetlands (2.88 AC) |
| Proposed Aquatic Impacts |
| Seasonal Swale - Indirect |
| Permanent Impacts (0.02 ac) |
| Seasonal Swale - Permanent Impacts (0.11 ac) |



0 50 100 200
Scale: 1:1,200 1 in = 100 feet
Print at 11" x 17"

Revised on: 01/05/2026

Coordinate System:
NAD 1983 2011 StatePlane California II FIPS 0403 Ft US
Projection: Lambert Conformal Conic
Datum: NAD 1983 2011
Units: Foot US

Made in accordance with the Update Map and Drawing Standard for the South Pacific Division Resource Program, as amended on February 10, 2016, by Jason Deters, Project Manager Enforcement and Special Projects Unit, U.S. Army Corps of Engineers South Pacific Division 1325 J Street, Room 1360 Sacramento, California 95814-2922

Attachment B
Receiving Waters, Impacts and Mitigation Information

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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 Water(s) Information

| Impact Site ID | Waterbody Name | Impacted Aquatic Resources Type | Water Board Hydrologic Units | Receiving Waters | Receiving Waters Beneficial Uses | 303d Listing Pollutant | California Rapid Assessment Method (CRAM) ID |
|----------------|--------------------------------|---------------------------------|------------------------------|------------------|---|------------------------|--|
| SS1, SS2 | Unnamed Seasonal Wetland Swale | Seasonal Wetland | 504.20 | Big Chico Creek | AGR, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD | Not Applicable | Not Applicable |

Individual Direct Impact Locations

The following tables show individual impacts.

Table 2: Individual Permanent Fill/Excavation Impact Information

| Impact Site ID | Latitude | Longitude | Indirect Impact Requiring Mitigation? | Acres | Cubic Yards | Linear Feet |
|----------------|----------|-----------|---------------------------------------|-------|-------------|-------------|
| SS1 | 39.7886 | -121.8708 | Yes | 0.05 | 80 | |
| SS2 | 39.7883 | -121.8705 | No | 0.08 | 130 | |

Mitigation Bank Compensatory Mitigation Site Information

Table 3: Mitigation Bank

| | |
|-------------------------------|---|
| Mitigation Bank Name: | Meridian Ranch Mitigation Bank |
| Website: | Meridian Ranch Mitigation Bank - WES (https://wesmitigation.com/projects/meridian-ranch-mitigation-bank/) |
| Mitigation Bank Contact Name: | Amanda Dwyer |
| Phone: | (916) 646-3644 |
| Email: | ADwyer@westervelt.com |
| Mitigation Location - County: | Butte County |
| Latitude: | 39.8630 |
| Longitude: | -121.9292 |

Table 4: Mitigation Type Information

| Aquatic Resource Credit Type | Acres | Linear Feet | Number of Credits Purchased |
|----------------------------------|-------|-------------|-----------------------------|
| Vernal Pool Preservation Credits | 0.13 | | Not Purchased yet |

Attachment C
CEQA Findings of Fact

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CEQA Findings of Fact

A. Environmental Review

On 8 October 2024, the Butte County Board of Supervisors, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2023120789) for the Project and filed a Notice of Determination (NOD) with the Butte County Clerk on 9 October 2024 and at the SCH on 21 October 2024. The Central Valley Water Board is a responsible agency under CEQA (Public Resources Code, section 21069) and in making its determinations and findings, must presume that Butte County Board of Supervisors' adopted environmental document comports with the requirements of CEQA and is valid. (Public Resources Code, section 21167.3.) The Central Valley Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by Butte County Board of Supervisors addresses the Project's water resource impacts. (California Code of Regulations, title 14, section 15096, subd. (f).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this NOA based on the Project IS/MND, the application for this NOA, and other supplemental documentation.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project Final IS/MND which is incorporated herein by reference. The Project IS/MND is available at:

<https://ceqanet.lci.ca.gov/2023120789> (<https://ceqanet.lci.ca.gov/2023120789>).

Requirements under the purview of the Central Valley Water Board in the MMRP are incorporated herein by reference.

The Enrollee's application for this NOA, including all supplemental information provided, are incorporated herein by reference.

C. Findings

The IS/MND states that there are no potentially significant environmental effects to water resources after the mitigation measures imposed by the lead agency.

D. Determination

The Central Valley Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this NOA, will not result in any significant adverse water resource impacts. (California Code of Regulations, title 14, section 15096, subd (h).) The Central Valley Water Board will file a NOD with the SCH within five (5) working days from the issuance of this NOA. (California Code of Regulations, title 14, section 15096, subd. (i).)