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## Central Valley Regional Water Quality Control Board

18 April 2023

Curtis Scott  
Federal Highway Administration  
Central Federal Lands Highway Division  
12300 W. Dakota Avenue  
Lakewood, CO 80228

**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), FEDERAL HIGHWAY ADMINISTRATION, FRAZIER CREEK BRIDGE REPLACEMENT PROJECT (WDID NO. 5A32CR00238), PLUMAS COUNTY**

On 16 March 2023, Federal Highway Administration (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Frazier Creek Bridge Replacement Project 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). The applicable Nationwide Permit (NWP) is NWP 14, Linear Transportation Projects. 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 Frazier Creek Bridge Replacement 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 Federal Highway Administration (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 on [State Water Resources Control Board's General Orders Web Page](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](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. Project Status Notifications in the General Order include a Commencement of Construction Notice at least seven days prior to start of initial disturbance activities and a Request for Notice of Project Complete Letter within 30

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

days following completion of all project activities, including post-construction monitoring. 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.

### **I. Public Notice**

The Central Valley Water Board provided public notice of the application from 24 March 2023 to 14 April 2023.

### **II. Project Description**

The purpose of the project is to replace the Frazier Creek Bridge. The North Complex Fire burned a large portion of Plumas National Forest in 2020. The fire completely destroyed the area surrounding the bridge and damaged the bridge beyond repair. The new bridge will be in the same location but will be longer and more fire-resistant than the previous bridge. It will be a prefabricated steel bridge with steel girders and structural steel decking and asphalt pavement fill. The new bridge will be 54 feet long and 20 feet wide with a single travel lane, similar to the previous bridge. The existing approaches vary from 18 to 20 feet in width, and the new approaches will be 22 feet wide with two 10-foot lanes and transition on either side of the bridge into the existing roadway to accommodate the turning radii of the approaching curves. The new approaches will extend about 100-150 feet down the road from either side of the bridge. The existing wooden abutments will be removed, however the existing concrete footings will be left in place and used to help protect the new abutments. New abutments and wingwalls faced with concrete blocks will be installed behind the original abutment locations. Riprap will be placed in front of the new abutment walls and wings.

Construction access will be along existing roads from either side of the bridge, and access across the creek is not anticipated until the new bridge is in place. To avoid in-water work, a temporary sandbag berm or similar device may be placed around the work area on each side of the creek to keep creek flow out of the work area and in the main channel of the creek. The device would be up to about 70 feet long, depending on flow conditions; the height would be adapted to estimated creek flow volume at the time it is needed. The device would be in place for about 6 weeks while the abutments are constructed and riprap is being installed (if these activities require dewatering). The work is expected to be scheduled when creek flow is lowest, so dewatering may not be necessary.

### **III. Project Location**

County: Plumas County

Address: Forest Route 23N18

Nearest City: Palmetto

Latitude: 39.8337° and Longitude: -121.2377°

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/](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 0.013 acre of Waters of the United States, specifically Frazier Creek. These impacts include temporary impacts of 0.011 acre of stream channel and permanent impacts of 0.002 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 Impacts<sup>1</sup>**

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.011	5	71

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.002	14	32

**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 15302, Replacement or Reconstruction.

**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, 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**

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

**IX. Compensatory Mitigation**

To the extent feasible, the Enrollee is required to restore and stabilize the area following disturbance. To compensate for permanent impacts, the Enrollee’s restoration plan proposes that areas that are excavated within the stream channel to support riprap installation will be contoured appropriately and backfilled with riprap or

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<sup>1</sup> 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.

native soil to restore the streambed. Disturbed areas along the road and bank will be re-seeded with a native seed mix to facilitate vegetation establishment.

**X. Central Valley Regional Water Quality Control Board Contact:**

If you have any questions regarding this Notice of Applicability, please contact Katie Gilman at (530) 224-3212 or [Katie.Gilman@waterboards.ca.gov](mailto:Katie.Gilman@waterboards.ca.gov).

Original Signed by Clint Snyder

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

4/18/2023

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)

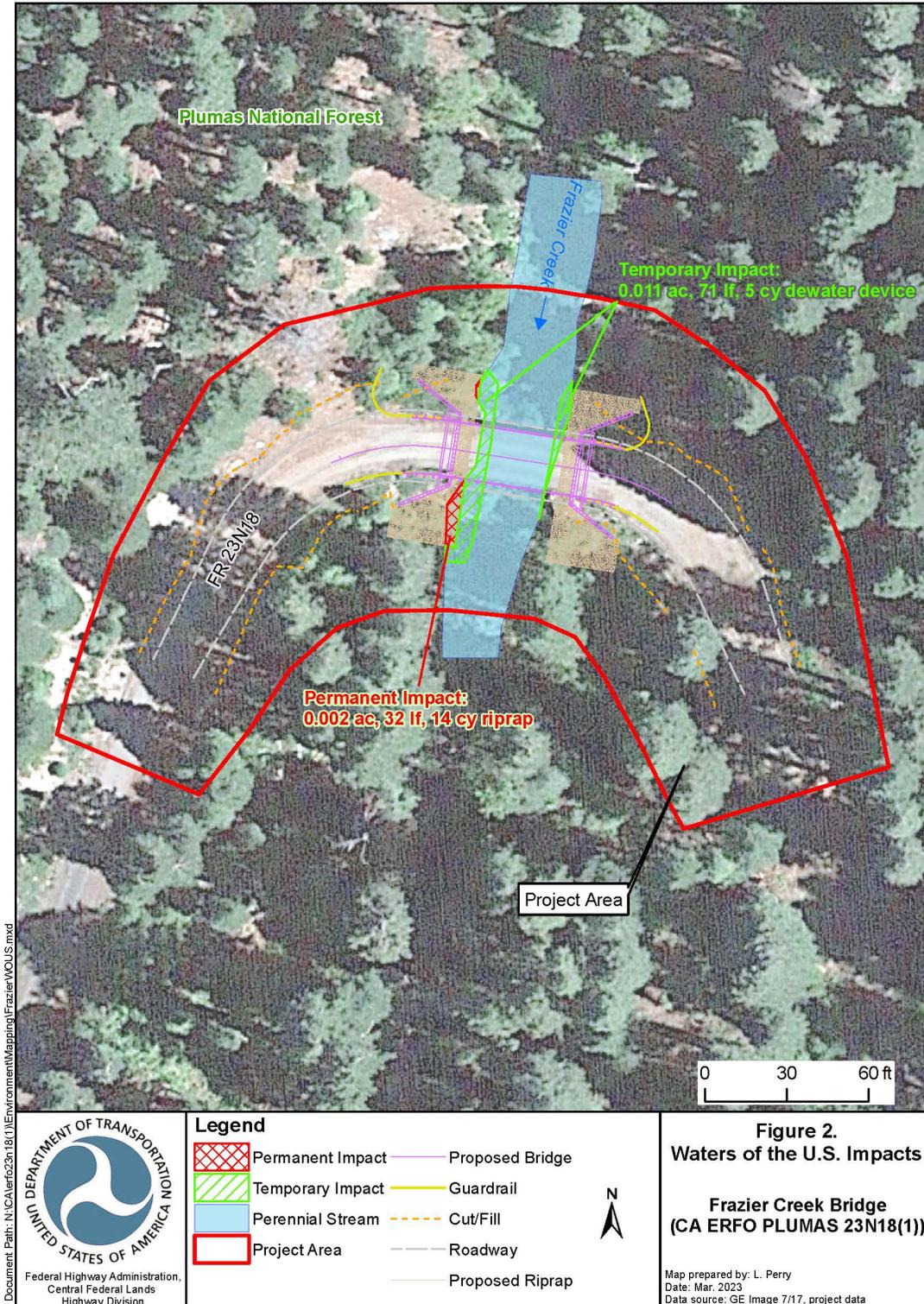
Attachments: Attachment A - Project Maps  
Attachment B - Receiving Water, Impact, and Mitigation Information  
Attachment C - CEQA

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Figure 1. Project Location Map



Figure 2. Project Impact 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
Frazier Creek Bridge Replacement Project	Frazier Creek	Stream	518.3	Middle Fork, Feather River (Little Last Chance Creek to Lake Oroville)	MUN, REC-1, REC-2, WARM, COLD, SPWN, WILD	Not Applicable	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
Frazier Creek Bridge Replacement Project	39.83355°	-121.23770°	No	0.011	5	71

**Table 3: Individual Permanent Fill/Excavation Impact Information**

<b>Impact Site ID</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Indirect Impact Requiring Mitigation?</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Frazier Creek Bridge Replacement Project	39.83349°	-121.23774°	No	0.002	14	32

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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 15302, replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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.)

## DISTRIBUTION LIST

United States Environmental Protection Agency  
Region 9, San Francisco  
[R9cwa401@epa.gov](mailto:R9cwa401@epa.gov)

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