
Central Valley Regional Water Quality Control Board

23 May 2025

Azeddine Bahloul
California Department of Transportation (Caltrans)
703 B Street
Marysville, CA 95901

**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), CALTRANS, 02-3H950 GEOTECHNICAL EXCAVATION
GRAEAGLE CAP AND FLOOD PROJECT (WDID NO. 5A32CR00251), PLUMAS
COUNTY**

On 21 April 2025, Caltrans (Applicant) filed a Notice of Intent (NOI) requesting coverage for the 02-3H950 Geotechnical Excavation Graeagle CAP and Flood 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 6, Survey Activities. 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 02-3H950 Geotechnical Excavation Graeagle CAP and Flood 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 Caltrans (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).

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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

I. Public Notice

The Central Valley Water Board provided public notice of the application from 25 April 2025 to 16 May 2025. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The Project consists of geotechnical excavation to observe the subsurface conditions and determine suitability for future embankment placement for the new road realignment between postmiles 4.20 and 4.81 of State Route 89. A total of five test pits will be excavated and three of the locations (TP-24-002, TP-24-003 and TP-24-005) are permitted in this NOA as they are within wetlands; the other two test pit locations are in uplands (TP-24-001 and TP-24-004). Test pit locations will be chosen in areas with no surface water present at the time of excavation. The test pits will be excavated using a backhoe and shovels. Disturbed ground will be restored to pre-construction conditions.

III. Project Location

Address: 3545 Highway 89, Clio, 96106

County: Plumas

Assessor's Parcel Number: 133-330-019

Location TP-24-002: 39.739389, -120.579436

Location TP-24-003: 39.740149, -120.581064

Location TP-24-005: 39.740144, -120.583118

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/) (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 0.0018 acre of Waters of the United States. These impacts include temporary impacts of 0.0018 acre of wetland.

Total Project fill/excavation quantities for all impacts are summarized in Table 1. 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 Table 1.

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Wetland	0.0018	21.33	18

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 15304, Minor Alterations to Land.

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

An application fee of \$4212.00 was received on 18 April 2025. The fee amount was determined as required by California Code of Regulations, title 23, sections

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.

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. 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 Olivia Ilsley at (916) 464-4849 or Olivia.Ilsley@waterboards.ca.gov.

Original Signed by Clint E. Snyder, AEO

For Patrick Pulupa, Executive Officer

Central Valley Regional Water Quality Control Board

5/23/2025

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

cc via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Matthew Hirkala, U.S. Army Corps of Engineers, Sacramento District
Richard Lis, California Department of Fish & Wildlife, Redding
Marla Despas, Caltrans, Redding
Amanda Haas, Caltrans, North Region, Eureka

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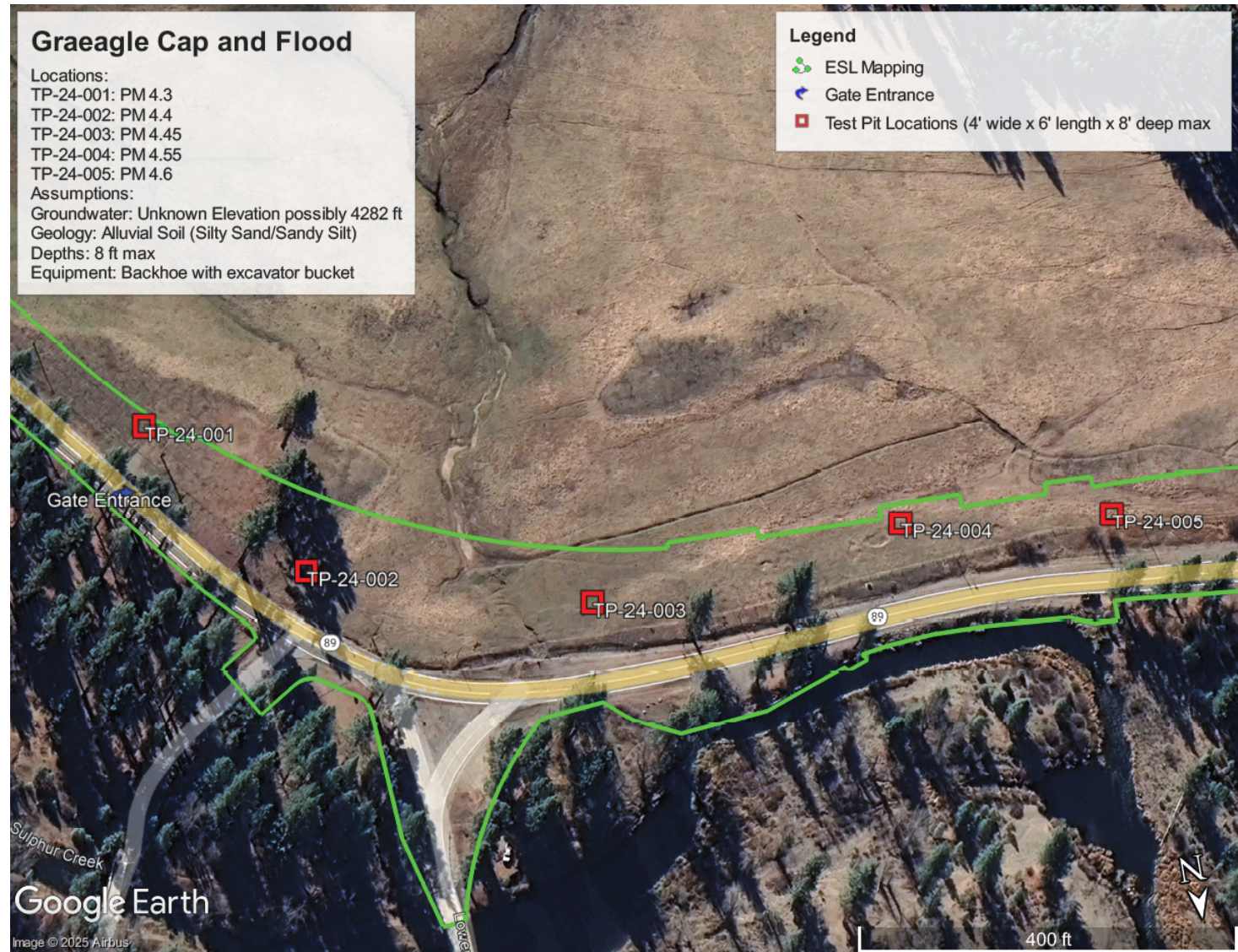


Figure 1. Test Pit Locations

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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
Location TP-24-002 and Location TP-24-003	FEW-24	Freshwater Emergent Wetlands	518.33	Middle Fork Feather River	MUN, REC-1, REC-2, WARM, COLD, SPWN WILD	Aluminum, Dissolved Oxygen, Specific Conductivity, and Toxicity
Location TP-24-005	FEW-26	Freshwater Emergent Wetlands	518.33	Middle Fork Feather River	MUN, REC-1, REC-2, WARM, COLD, SPWN WILD	Aluminum, Dissolved Oxygen, Specific Conductivity, and Toxicity

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
Location TP-24-002	39.739389	-120.579436	No	0.0006	7.11	6
Location TP-24-003	39.740149	-120.581064	No	0.0006	7.11	6
Location TP-24-005	39.740144	-120.583118	No	0.0006	7.11	6

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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 15304, Minor Alterations to Land, which consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.

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.