



---

## Central Valley Regional Water Quality Control Board

12 September 2024

Erin Lane  
Vertical Bridge Edge, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487-3650

**NOTICE OF APPLICABILITY: 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; VERTICAL BRIDGE EDGE, LLC, RED BLUFF TELECOMMUNICATIONS SITE PROJECT (WDID NO. 5A52CR00238), TEHAMA COUNTY**

On 1 May 2024, Vertical Bridge Edge, LLC (Applicant) submitted a Notice of Intent (NOI) requesting coverage for the Red Bluff Telecommunications Site Project under 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 Order). Following a Notification of an Incomplete Application issued on 23 May 2024 and a Denial Without Prejudice issued on 28 June 2024, all requested information was received on 31 July 2024. 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 Red Bluff Telecommunications Site Project (Project) qualifies for enrollment under this 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 Vertical Bridge Edge, LLC (hereinafter Enrollee) under the General Order pursuant to Section 3838 of the California Code of Regulations.

**Effective Date:** 12 September 2024

**Expiration Date:** 12 September 2029

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](#)

---

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

([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](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.

## I. Project Description

The Enrollee proposes the installation of a new 2.5-foot-diameter by 50-foot-long culvert within an unnamed ephemeral drainage to provide access to a small fixed wireless facility that will be constructed within a 208' by 208' acquired area of land.

The earthwork quantities in the channel are as follows:

- Cut = 35 cubic yards
- Export = 35 cubic yards
- Import of granular soil = 35 cubic yards
- Existing channel over-excavation = 15 cubic yards

Equipment to be used during construction will likely consist of an excavator, bulldozer, roller, and skid loader. The proposed culvert/entrance portion of the project will take approximately 1 to 2 weeks to complete. The project will occur when the creek is dry; dewatering is not authorized under this NOA.

## II. Project Location

County: Tehama County

Address: Rawson Avenue

Nearest City: Red Bluff, CA

Latitude: 40.10962° and Longitude: -122.25745°

Maps showing the Project location are found in Attachment A of this NOA.

## III. 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/](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 Table 2 of Attachment B.

#### **IV. Description of Direct Impacts to Waters of the United States**

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

**Table 1: Total Project Fill/Excavation Quantity for Permanent Impacts**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Stream Channel	0.007	85	50

#### **V. 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, Article 19, section 15304, Minor Alterations to Land. Class 4 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 or agricultural purposes.

#### **VI. 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.

#### **VII. Fees Received**

An application fee of \$2985.00 was received on 31 July 2024. 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.

**VIII. Compensatory Mitigation**

**A. 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 0.007 acre of stream channel by purchasing 0.01 Aquatic Resource Credits from the National Fish and Wildlife Foundation’s Sacramento District California In-Lieu Fee Program in the Northwest Sacramento River Aquatic Resource Service Area.
- b. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 2. [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
Stream Channel	In-Lieu Fee Credits	Aquatic Resource Credit						0.01

**IX. 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](mailto:Jerred.Ferguson@waterboards.ca.gov).

Original Signed by Clint E. Snyder, AEO  
 For Patrick Pulupa, Executive Officer  
 Central Valley Regional Water Quality Control Board

9/12/2024  
 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

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  
Kyle Workman, Environmental Assessment Specialists, Inc., Mission Hills

**(This page intentionally left blank)**

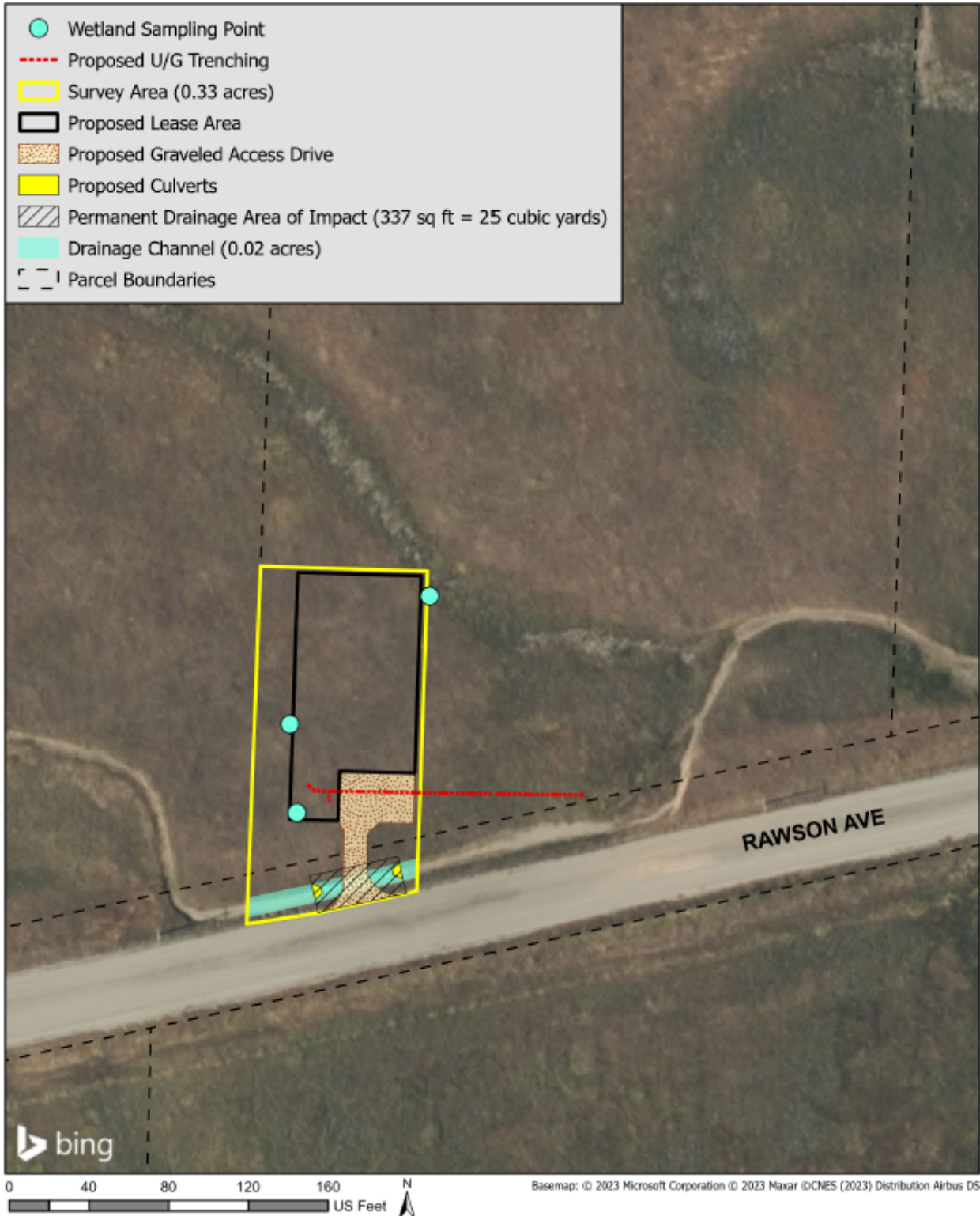


Figure 1: Project Location Map



Figure 2: Project Impact Map

SPK-2023-00379





**(This page intentionally left blank)**

**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
Red Bluff Telecommunications Site Project	Ephemeral Drainage Channel	Stream Channel	504.20	Thomes Creek	AGR, POW, 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
Red Bluff Telecommunications Site Project	40.10962°	-122.25745°	No	0.007	85	50

**(This page intentionally left blank)**

### **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, Article 19, section 15304, Minor Alterations to Land. Class 4 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 or 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.)