
Central Valley Regional Water Quality Control Board

19 September 2025

Jon Barrett
Resources Conservation District of Tehama County
202 Walnut Street
Red Bluff, CA 96080

**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), GEOTECHNICAL EXCAVATIONS FOR BATTLE CREEK
CONFLUENCE SIDE CHANNEL PROJECT (WDID NO. 5A52CR00253), TEHAMA
COUNTY**

On 21 August 2025, Resources Conservation District of Tehama County (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Geotechnical Excavations for Battle Creek Confluence Side Channel 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 Geotechnical Excavations for Battle Creek Confluence Side Channel 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 Resources Conservation District of Tehama County (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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.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 22 August 2025 to 12 September 2025. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The Project is part of a larger restoration project that proposes to reconnect historic side channels to the Sacramento River to provide juvenile salmonids access to side channel rearing habitat over the full range of expected flows.

This NOA is limited to geotechnical excavations to gather information on the soil properties of the proposed arch culvert location and the proposed side channel. A total of three geotechnical exploration sites have been identified within and adjacent to an existing flood channel proposed for restoration as part of the project. The information collected from the three exploration sites will be used to evaluate the composition of soils within the proposed side channel excavation area and the soil properties where the footings of the proposed bottomless arch culvert would be installed.

III. Project Location

County: Tehama County

Nearest City: Cottonwood

Latitude: 40.346852° and Longitude: -122.181138°

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 Table 2 of Attachment B.

V. Description of Direct Impacts to Waters of the United States

Total Project fill/excavation quantities for all impacts are summarized in Table 1. 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
Stream Channel	0.17	208	454

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 \$1,123 was received on 13 August 2025. 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 D - Ecological Restoration and Enhancement Projects (fee code 85) with the dredge and fill fee calculator.

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.

IX. Compensatory Mitigation – Not Applicable

No compensatory mitigation was required because the project will not result in permanent impacts. 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 Jerred Ferguson at (530) 224-4784 or Jerred.Ferguson@waterboards.ca.gov.

Original Signed by Angela Wilson
For Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

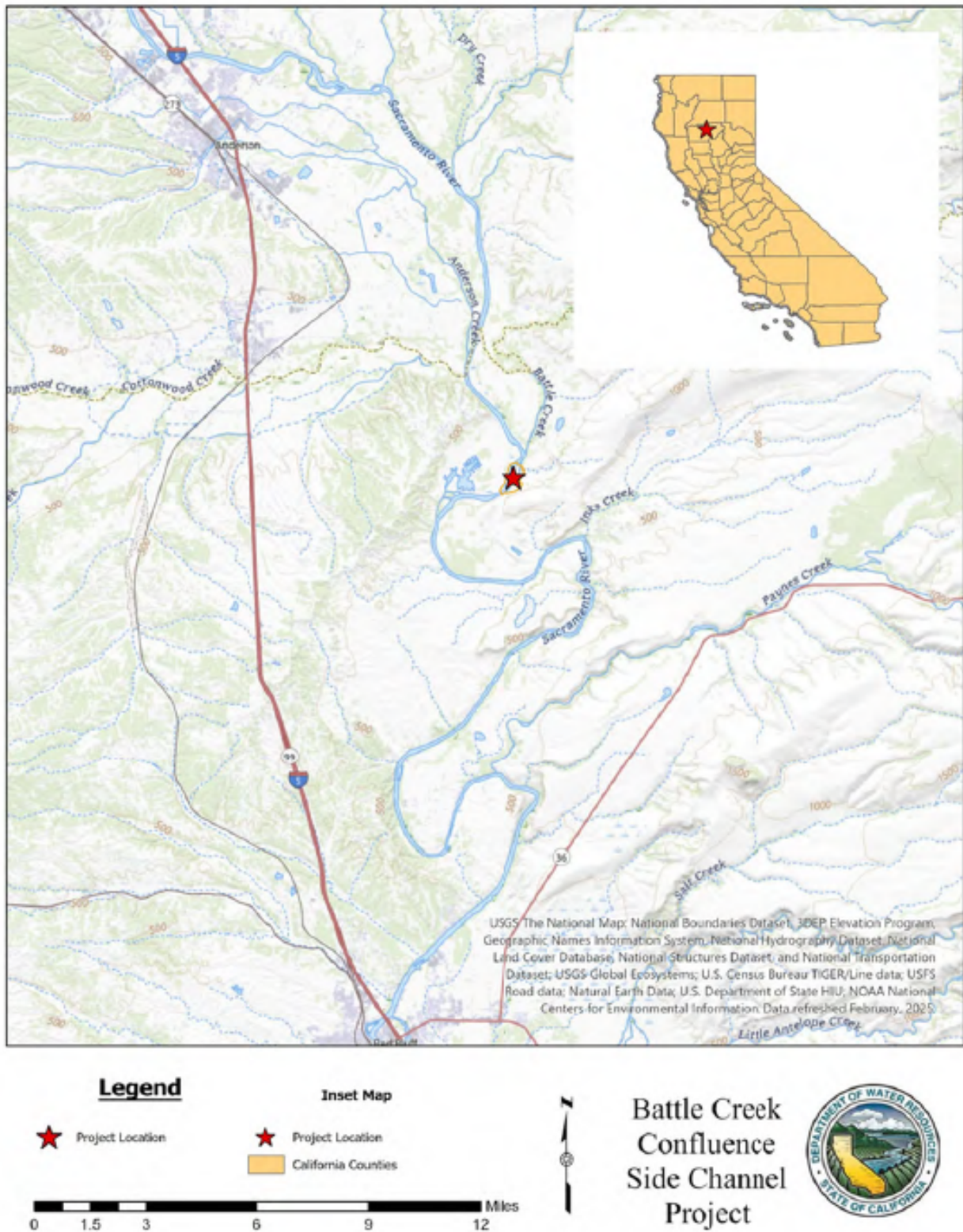
9/19/2025
Date

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

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Figure 1. Project Location Map



Legend

- Project Area
- Equipment Access Route
- Geotech Sites
- Proposed Excavation
- Temporary Stockpile Areas
- Staging Area
- Existing Access Road

0 125 250 500 Feet

Site #1

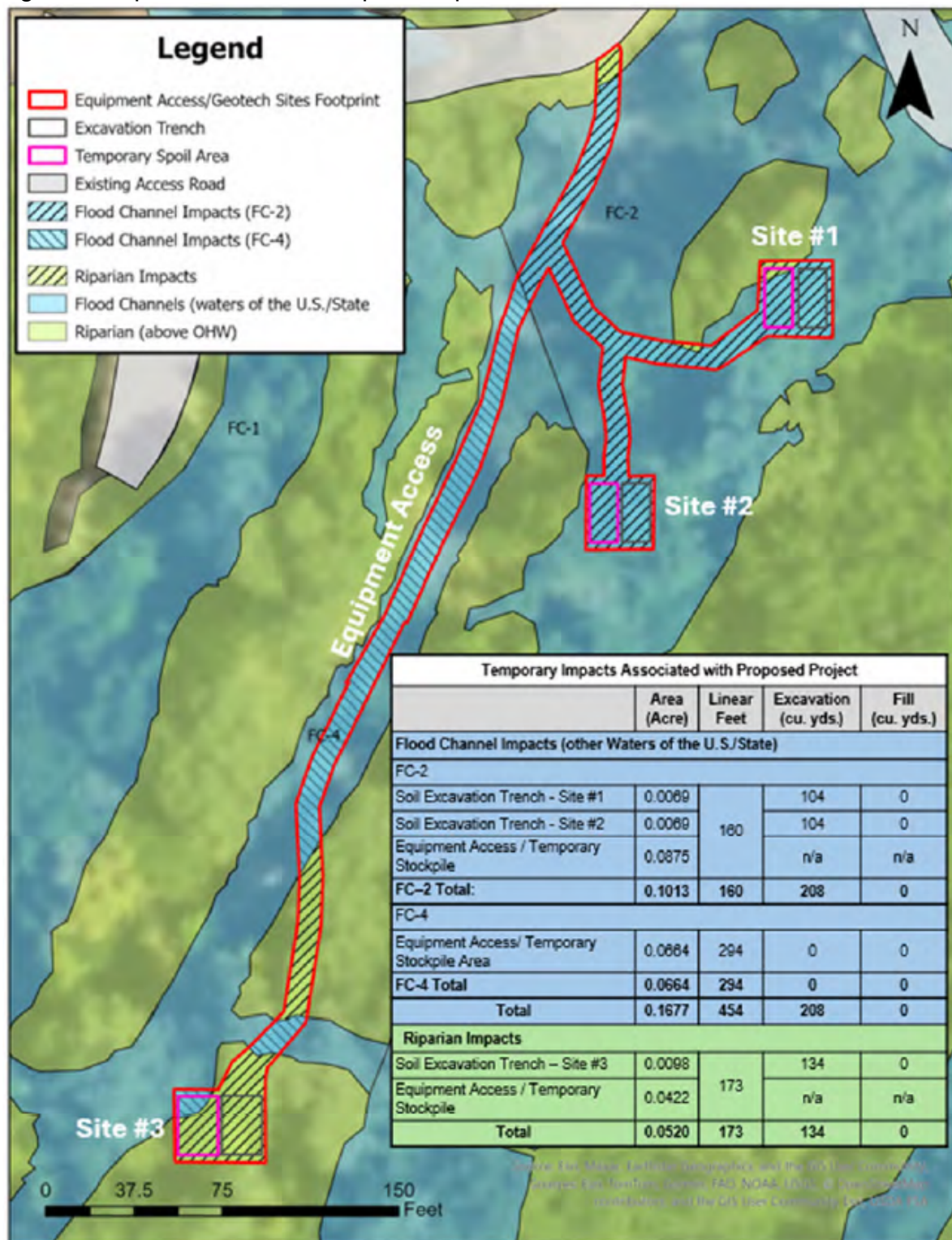
Site #2

Site #3

Jettys Ferry Rd

Sources: Esri, DeLorme, Garmin, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, DeLorme, Garmin, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community. Sources: Esri, DeLorme, Garmin, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community.

Figure 3. Aquatic Resources 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
Geotechnical Excavations for Battle Creek Confluence Side Channel Project	Sacramento River	Stream Channel	508.10	Sacramento River	MUN, AGR, IND, POW, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD, NAV	Mercury, Temperature, Toxicity	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
Geotechnical Excavations for Battle Creek Confluence Side Channel Project	40.346852	-122.181138	No	0.17	208	454

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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) and 15306 (Information Collection). 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 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.)

DISTRIBUTION LIST

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