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## Central Valley Regional Water Quality Control Board

11 June 2024

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, NORTH FORK  
FEATHER RIVER AND INDIAN CREEK BRIDGES REPLACEMENTS PROJECT,  
(WDID NO. 5A32CR00243), PLUMAS COUNTY**

On 17 April 2024, the Federal Highway Administration (Applicant) filed a Notice of Intent (NOI) requesting coverage for the North Fork Feather River and Indian Creek Bridges Replacements 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 North Fork Feather River and Indian Creek Bridges Replacements 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 the 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. The Project is described in the NOI Form requesting coverage and supplementary information (Application Package). If the Project is modified from

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

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 19 April 2024 to 10 May 2024. The Central Valley Water Board did not receive any comments during the comment period.

## **II. Project Description**

The project consists of replacement of the burned bridges across the North Fork Feather River (NFFR), Indian Creek and minor improvements to the road approaches on Forest Route 26N26.

### **North Fork Feather River Bridge Replacement**

The NFFR bridge was a two-span bridge that was built in 1957. It was a timber-decked bridge with a steel superstructure and measured approximately 10 feet wide and 101 feet long. The abutments and wingwalls were timber cribs founded on concrete footings. The new NFFR bridge will be a single-span, steel bridge that is 131 feet long and about 17.4 feet wide to accommodate one lane of traffic. The new bridge will be installed on cast-in-place concrete caps with wingwalls supported by drilled shafts or micropiles. The new abutments will be set back from the river, just behind the previous concrete footing locations and above the ordinary high-water mark of the river. Riprap will be placed around the abutments to protect them from scour and stabilize the banks, and some riprap on the east bank will extend below the ordinary high-water mark. The bridge pieces that were stockpiled nearby will be removed, and pier foundation anchors and abutment pieces that remain in the banks will be removed. The approaches will be repaved to match the new bridge configuration for about 100-150 feet on both sides of the bridge, and minor grading of the shoulders and adjacent areas is expected to match the new pavement. Other than riprap placement, no in-river work is proposed.

Temporary dewatering is expected around the riprap area to divert water away from the work area, if needed. A diversion device, such as sandbags or a bladder dam, will be placed along the river around the work area near the east bank and some temporary disturbance will occur. The device will be up to about 100 feet long, depending on flow conditions; the height will be adapted to estimated river flow volume at the time it is needed. Pumps will be used to dewater the area if needed, too. Water flow and river conditions will return to normal once the device is removed. The work is expected to be scheduled when river flow is lowest, so dewatering may not be necessary.

Construction access for the NFFR bridge will mostly be from the east side, with access to the west side being limited along an alternate road until the new bridge is in place. The road on both sides of the bridge will be closed during construction, as it currently is. Access on Caribou Road will be maintained throughout construction, as

will access to the nearby campground. Staging and storage of materials will be at the large pullout on the east side of Caribou Road.

### **Indian Creek Bridge Replacement**

The trail bridge across Indian Creek was a timber pedestrian/equestrian bridge about 46 feet long and 8 feet wide. Although the bridge burned and was mostly removed, the concrete abutments remain on the banks and some timber remains in the creek. The new bridge will be a prefabricated, steel pedestrian bridge about 46 feet long and 8 feet wide. The existing abutments will be re-used for the new bridge, with portions of them removed to accommodate new cast-in-place concrete bearings. No permanent structures will be placed in the creek. The pieces of timber in the creek will be removed. Due to limited access for large vehicles and equipment along the trail, the bridge pieces will be transported by helicopter to be set in place. A temporary support is expected across the creek to hold the pieces as they are installed and to avoid the discharge of pollutants or materials into the creek. This temporary device will only be in place for a short duration during construction. It will not affect creek flow or conditions, and dewatering is not expected to be needed. All other work will take place from the banks and existing trails.

Access will be by helicopter or a powerline access road to the trail, with staging along the trail where feasible. The trail segment near the bridge will be temporarily closed during construction.

### **III. Project Location**

County: Plumas County

Nearest City: Belden

#### **North Fork Feather River Bridge**

Latitude: 40.037990° and Longitude: -121.220585°  
Section 8, Township 25 North, Range 7 East MDB&M

#### **Indian Creek Trail Bridge**

Latitude: 40.009723° and Longitude: -121.262278°  
Section 24, Township 25 North, Range 6 East MD&M

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/](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.

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

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 (North Fork Feather River)	0.011	7	97
Stream Channel (Indian Creek)	0.001	1	5

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel (North Fork Feather River)	0.008	40	70

## 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. Class 2 consists of replacement 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.

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.

## **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. Mitigation for Temporary Impacts**

The Enrollee shall restore all areas of temporary impacts, including Project site upland areas, which could result in a discharge to waters of the state to pre-construction contours and conditions upon completion of construction activities.

## **X. 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 0.008 acre of stream channel by purchasing 0.01 Aquatic Resource Credit from the National Fish and Wildlife Foundation's (NFWF) Sacramento District In-Lieu Fee Program in the Feather River Aquatic Resource Service Area
- b.** Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 3. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

**Table 3: 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
Aquatic Resource Credit	In-Lieu Fee Credits	Credit						0.01

**XI. 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](mailto:Daniel.Warner@waterboards.ca.gov).

*Original Signed by Clint Snyder, AEO*  
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 (for) Patrick Pulupa, Executive Officer  
 Central Valley Regional Water Quality Control Board

6/11/2024  
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 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, Impacts, and Mitigation Information  
 Attachment C - CEQA Findings of Facts

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**Attachment A**

Figure 1: Project Location Map – North Fork Feather River Bridge Location

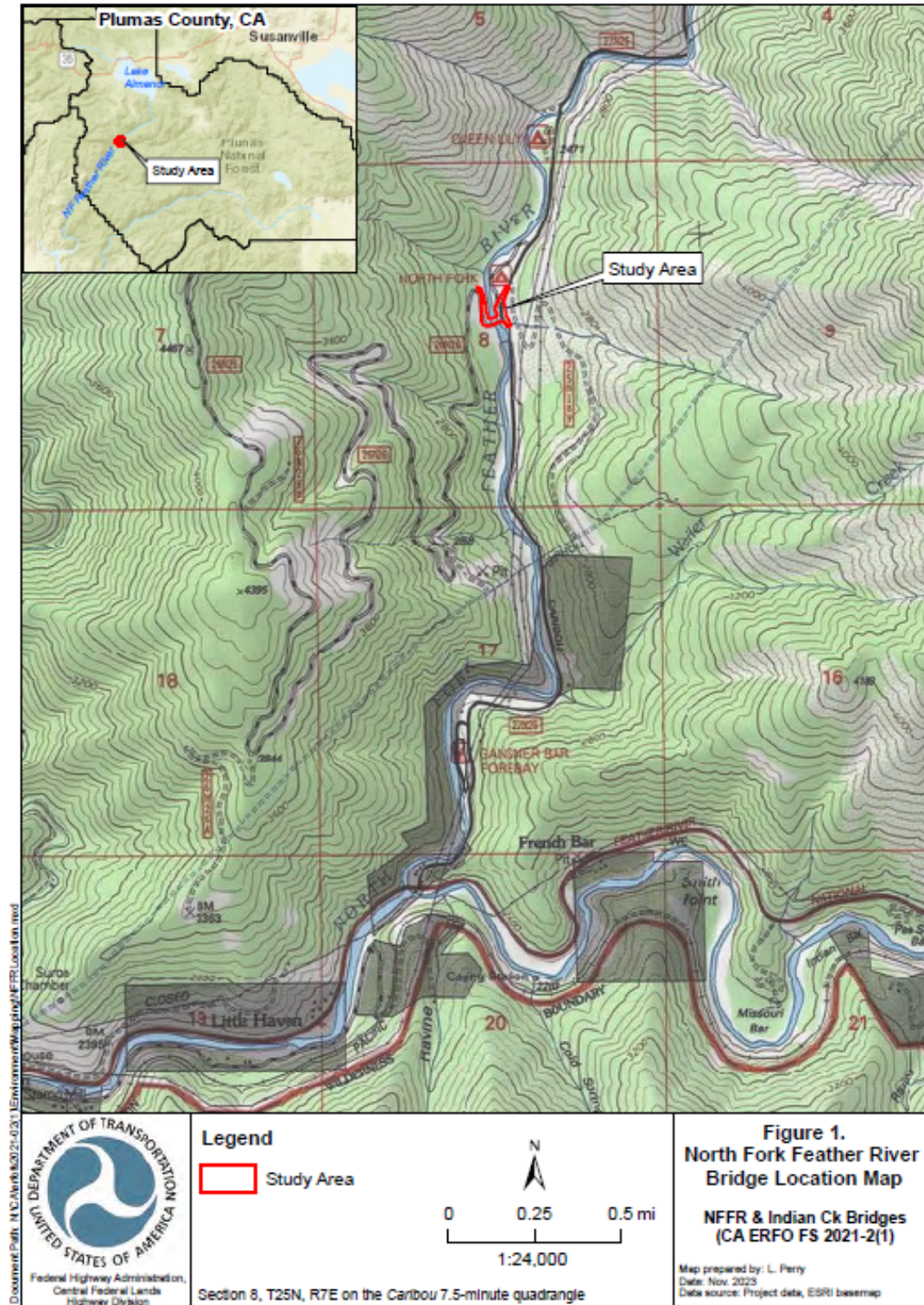




Figure 2: Project Location Map – Indian Creek Bridge Location

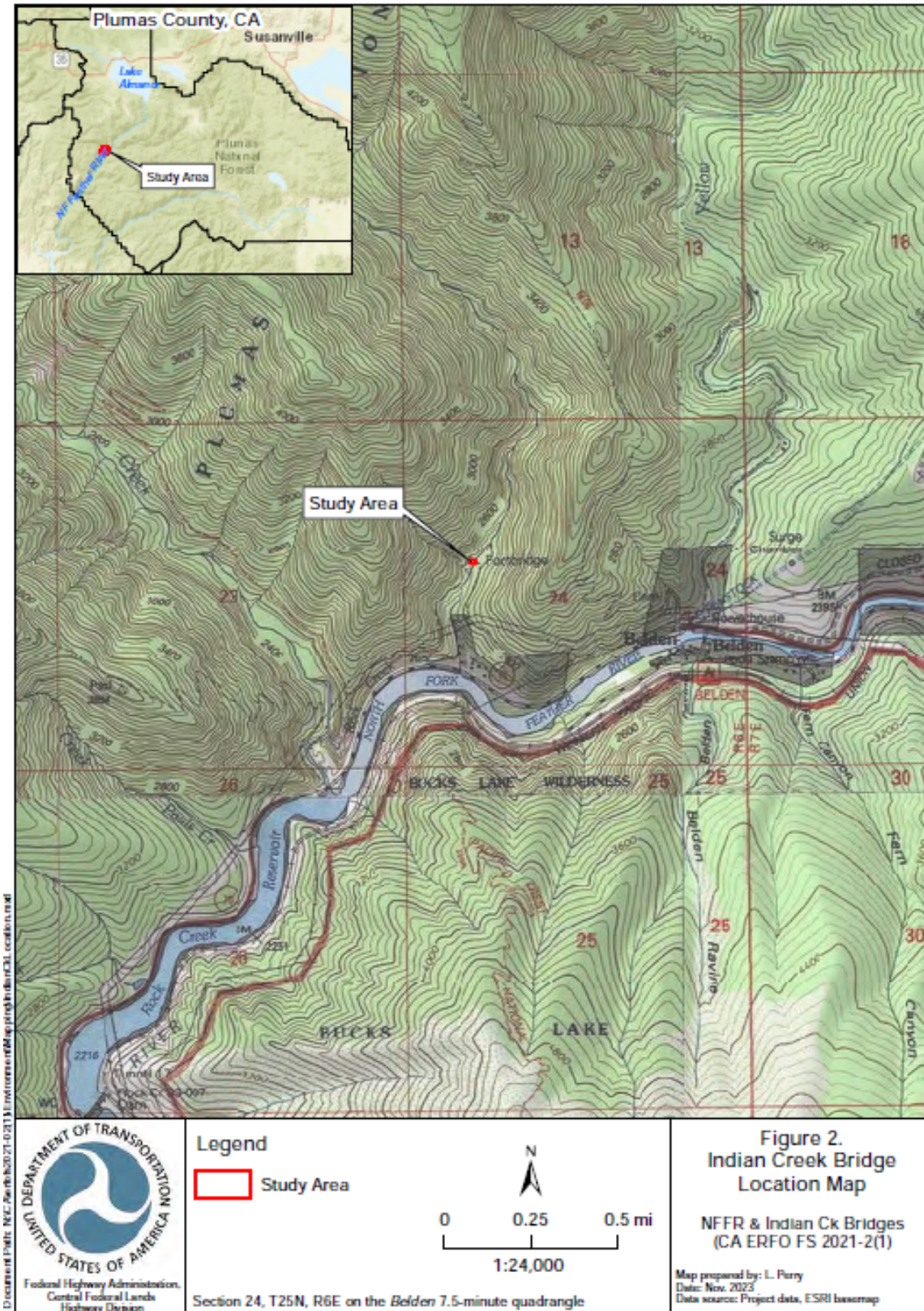




Figure 3. North Fork Feather River Impact Location





Figure 4. Indian Creek Impact Location



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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
North Fork Feather River	North Fork Feather River	Perennial Stream	518.4	North Fork Feather River	MUN, POW, REC-1, REC-2, COLD, SPWN, WILD	Mercury, PCBs, Toxicity, Temperature	N/A
Indian River	Indian River	Perennial Stream	518.4	North Fork Feather River	MUN, POW, REC-1, REC-2, COLD, SPWN, WILD	Mercury, PCBs, Toxicity, Temperature	N/A

**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
North Fork Feather River	40.037990°	-121.220585°	No	0.011	7	97
Indian Creek	40.009723°	-121.262278°	No	0.001	1	5

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

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
North Fork Feather River	40.037990°	-121.220585°	No	0.008	40	70



**Compensatory Mitigation Information**

The following table(s) show individual compensatory mitigation information and locations.

**In-Lieu Fee Compensatory Mitigation Information**

**Table 4: In-Lieu Fee Program**

In-Lieu Fee Program Name:	National Fish and Wildlife Foundation's (NFWF) Sacramento District In-Lieu Fee Program
Website:	<a href="https://www.nfwf.org/mitigating-impacts/sacramento-district-california-lieu-fee-program">Sacramento District California In-Lieu Fee Program   NFWF</a> ( <a href="https://www.nfwf.org/mitigating-impacts/sacramento-district-california-lieu-fee-program">https://www.nfwf.org/mitigating-impacts/sacramento-district-california-lieu-fee-program</a> )
In-Lieu Fee Program Contact Name:	Heather Broda
Phone:	(415) 243-3105
Email:	<a href="mailto:Heather.broda@nfwf.org">Heather.broda@nfwf.org</a>
In-Lieu Fee Program Location - County:	Feather River Aquatic Resource Service Area
Latitude:	Not Applicable
Longitude:	Not Applicable

**Table 5: Mitigation Type Information**

Aquatic Resource Credit Type	Acres	Linear Feet	Number of Credits Purchased
Aquatic Resource Credits	0.01		Not Yet Purchased

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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, which consists of 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)

Water Quality Certification Program  
State Water Resources Control Board  
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