
Central Valley Regional Water Quality Control Board

7 October 2025

Erik Pohlo
31135 Glendenning Way
Whitmore, CA 96096

**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), ERIK POHLO, POHLO CULVERT REPLACEMENT PROJECT
(WDID NO. 5A45CR00680), SHASTA COUNTY**

On 8 September 2025, Erik Pohlo (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Pohlo Culvert 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. After reviewing 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 Pohlo Culvert 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 Erik Pohlo (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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.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 12 September 2025 to 3 October 2025. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The Enrollee proposes to replace an existing undersized culvert beneath a private residential driveway within an unnamed intermittent tributary of Glendenning Creek to accommodate for seasonal high flows. The goal of the entire activity is to minimize the threat of property degradation and erosion from flooding of the driveway and adjacent parcels during heavy rainfall.

The Project includes removal of an existing 20 linear foot 18-inch diameter culvert pipe and replacement with a 40 linear foot 54-inch diameter equivalent pipe (43-inch X 64-inch) to adequately convey high seasonal flows during rainstorm events. The new culvert pipe will replace the existing 18-inch overflow pipe under the driveway located immediately adjacent to the initial 36-inch pipe inlet. The existing 36-inch culvert will remain in place and modification is not included in the proposed scope of work. Placement of rock slope protection (RSP) is included on the slope of the replaced 54-inch pipe at both inlet and outlet drainage areas. In addition to the culvert replacement, gravel will be applied to the driveway surface. Fill material will be excavated during culvert placement and material will be applied to the side access road to raise elevation above the top of the new pipe. A staging area for equipment will be utilized along the existing driveway, south of the project area.

III. Project Location

Address: 31135 Glendenning Way, Whitmore, CA 96096

County: Shasta County

Nearest City: Witmore

Section 08, Township 32 North, Range 01 East, MDB&M.

Latitude: 40.6403° and Longitude: -121.8910°

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

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

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Wetland	0.006	20	28

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Wetland	0.007	35	47

VI. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is categorically exempt from review under CEQA pursuant to California Code of Regulations, Title 14, Article 19, section 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

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.

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 \$4,212.00 was received on 3 September 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 E – Low Impact Discharges (fee code 87) with the Fiscal Year 24/25 Water Quality Certification 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 Daniel Warner at (530) 224-4848 or Daniel.Warner@waterboards.ca.gov.

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

10/7/2025
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 Unit, SWRCB, Sacramento
Hillary Regnart, U.S. Army Corps of Engineers, Sacramento District
Mary Tess Johnson, VESTRA Resources, Inc., Redding

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Figure 1. Project Location Map

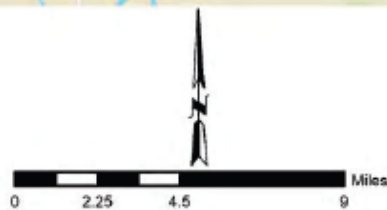


FIGURE 1
SITE VICINITY
POHLO PROPERTY
SHASTA COUNTY, CALIFORNIA

Figure 2. Project Impacts Map

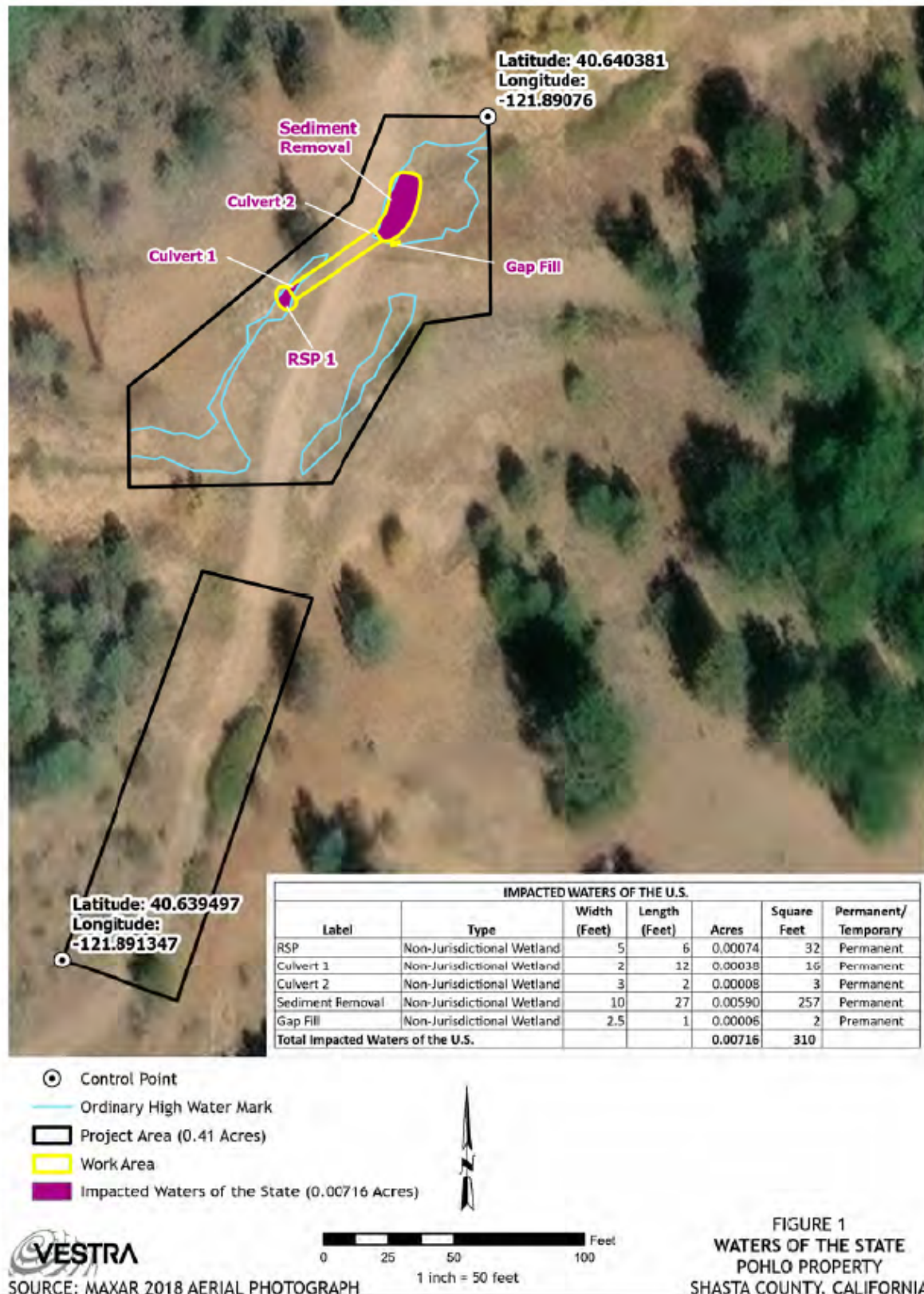
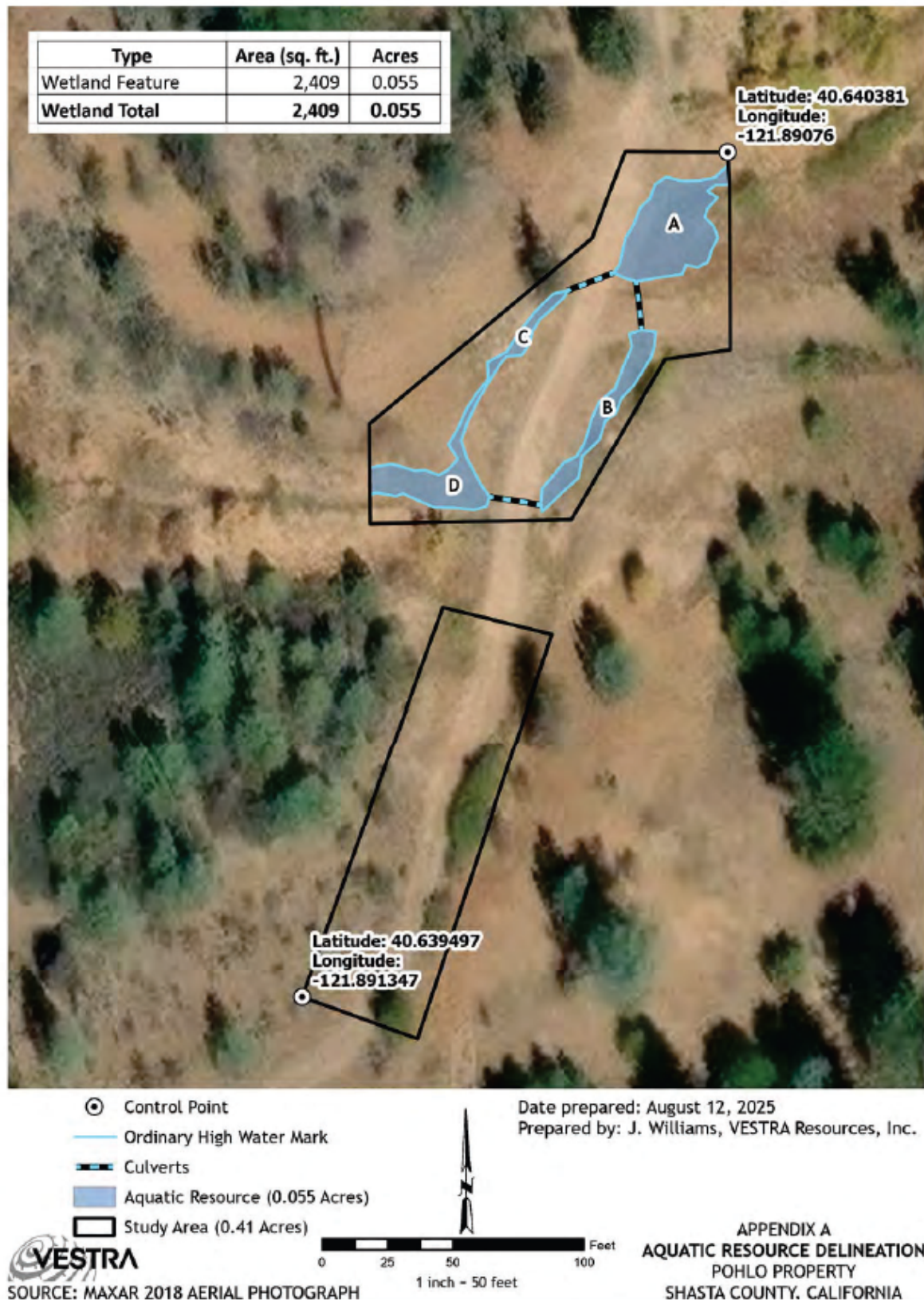


Figure 3. Aquatic Resource Delineation Map



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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
Pohlo Culvert	Unnamed Tributary to Cow Creek	Wetland	507.32	Cow Creek	AGR, POW, REC-1, REC-2, COLD, MIGR, 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
Pohlo Culvert	40.6403	-121.8910	No	0.006	20	28

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Pohlo Culvert	40.6403	-121.8910	No	0.007	35	47

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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 15301, Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

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.)