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## Central Valley Regional Water Quality Control Board

10 October 2024

Annaly Ramirez  
Tehama County Public Works  
9380 San Benito Avenue  
Gerber, CA 96035

**NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD  
CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION  
FOR REGIONAL GENERAL PERMIT 8 (ORDER WQ 2023-0061-DWQ), TEHAMA  
COUNTY PUBLIC WORKS, CORNING ROAD AT HOUGHTON CREEK  
EMERGENCY REPAIR PROJECT, TEHAMA COUNTY, WDID NO. 5A52CR00242**

This letter serves to notify Tehama County Public Works the Corning Road at Houghton Creek Emergency Repair Project (Project) is certified under State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification for Regional General Permit 8 for Emergency Repair and Protection Activities (General Order; Order WQ 2023-0061-DWQ). The project site is located on Corning Road at Houghton Creek, approximately 350 feet north of the intersection of Corning Road and Maette Drive, at latitude 39.9264 and longitude -122.2944 in Tehama County, California.

This Notice of Applicability (NOA) is being issued to Tehama County Public Works (hereinafter Enrollee) by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) under the General Order pursuant to Section 3838 of the California Code of Regulations. A copy of the General Order is enclosed and may also be accessed on [State Water Resources Control Board's General Orders Web Page](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2023) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders.html#yr\\_2023](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2023)).

The Project must proceed in accordance with the requirements contained in this NOA and the General Order. The Project is described in the Notice of Intent requesting coverage and supplemental information (Application Package) submitted by the Enrollee and is limited to the impacts identified in the Application Package and described in this NOA. If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

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

**I. EMERGENCY WORK DESCRIPTION**

The north bank of Houghton Creek at Corning Road experienced severe erosion during the winter of 2023-2024. The creek bank eroded approximately 15 feet horizontally last winter and lowered the protective creek bank/levee up to 8 feet vertically.

The project involves replacing approximately 184 feet of creek bank/levee using clean fill material and then protecting the fill with rock slope protection (RSP) placed at a 1.5:1 slope. The creek bank will be returned to its original contour that existed prior to last winter, inclusive of the RSP. A temporary road will be constructed into the creek bed, within the permanent footprint of the project, to place and compact the fill back to its original elevation. RSP will then be placed from the top of bank with an excavator. All work will be conducted in the dry portion of the creek channel, and no riparian vegetation will be removed.

Staging areas will be located away from the stream channel on dry, flat pasture lands. All work within the streambed will be kept to a minimum, with all work occurring within the original footprint. No riparian vegetation will be impacted by the project. The project is expected to last 10 to 14 days.

**II. DESCRIPTION OF DIRECT IMPACTS TO WATERS OF THE STATE**

Total Project impacts are summarized in Table 1.

**Table 1: Total Project Fill/Excavation Quantity for Permanent Physical Loss of Area Impacts**

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.07	450	184

**III. COMPENSATORY MITIGATION**

Compensatory mitigation is required for permanent physical loss and permanent ecological degradation of a water of the state. The Enrollee is required to provide compensatory mitigation for the authorized impact to 0.07 of stream channel by purchasing 0.07 acre stream channel credit from a U.S. Army Corps of Engineers approved mitigation bank or 0.07 aquatic resource credit from the National Fish and Wildlife Foundation’s Sacramento District California In-Lieu Fee Program in the Northwest Sacramento River Aquatic Resource Service Area.

Mitigation credits shall be purchased within 90 days of initiating the emergency project and prior to the Central Valley Water Board’s approval of a Notice of Completion.

#### IV. REPORTING

The Enrollee must notify the Central Valley Water Board no less than forty-eight (48) hours prior to initiating the emergency project.

A Notice of Completion (NOC) shall be submitted by the Enrollee within 45 calendar days of completion of Project activities. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the Enrollee's Notice of Intent.

Failure to comply with the terms and conditions of this NOA may expose the Enrollee to enforcement action pursuant to the Clean Water Act and California Water Code.

#### V. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

If you have any questions regarding this Notice of Applicability, please contact Dan Warner at (530) 224-4848 or [Daniel.Warner@Waterboards.ca.gov](mailto:Daniel.Warner@Waterboards.ca.gov).

Original Signed by Bryan J. Smith, P.E.  
For Patrick Pulupa, Executive Officer  
Central Valley Regional Water Quality Control Board

10/10/2024  
Date

DLW: lc

Enclosure: State Water Resources Control Board's Clean Water Act Section 401 General Water Quality Certification for Regional General Permit 8 for Emergency Repair and Protection Activities (Order WQ 2023-0061-DWQ)

cc via email: U.S. EPA, Region 9, San Francisco  
Water Quality Certification Program, SWRCB, Sacramento  
Lillian Jepson, U.S. Army Corps of Engineers, Sacramento District  
Jonathan Oldham, Tehama County Public Works, Gerber

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**Attachment A – Project Maps**

Figure 1. Project Location Map

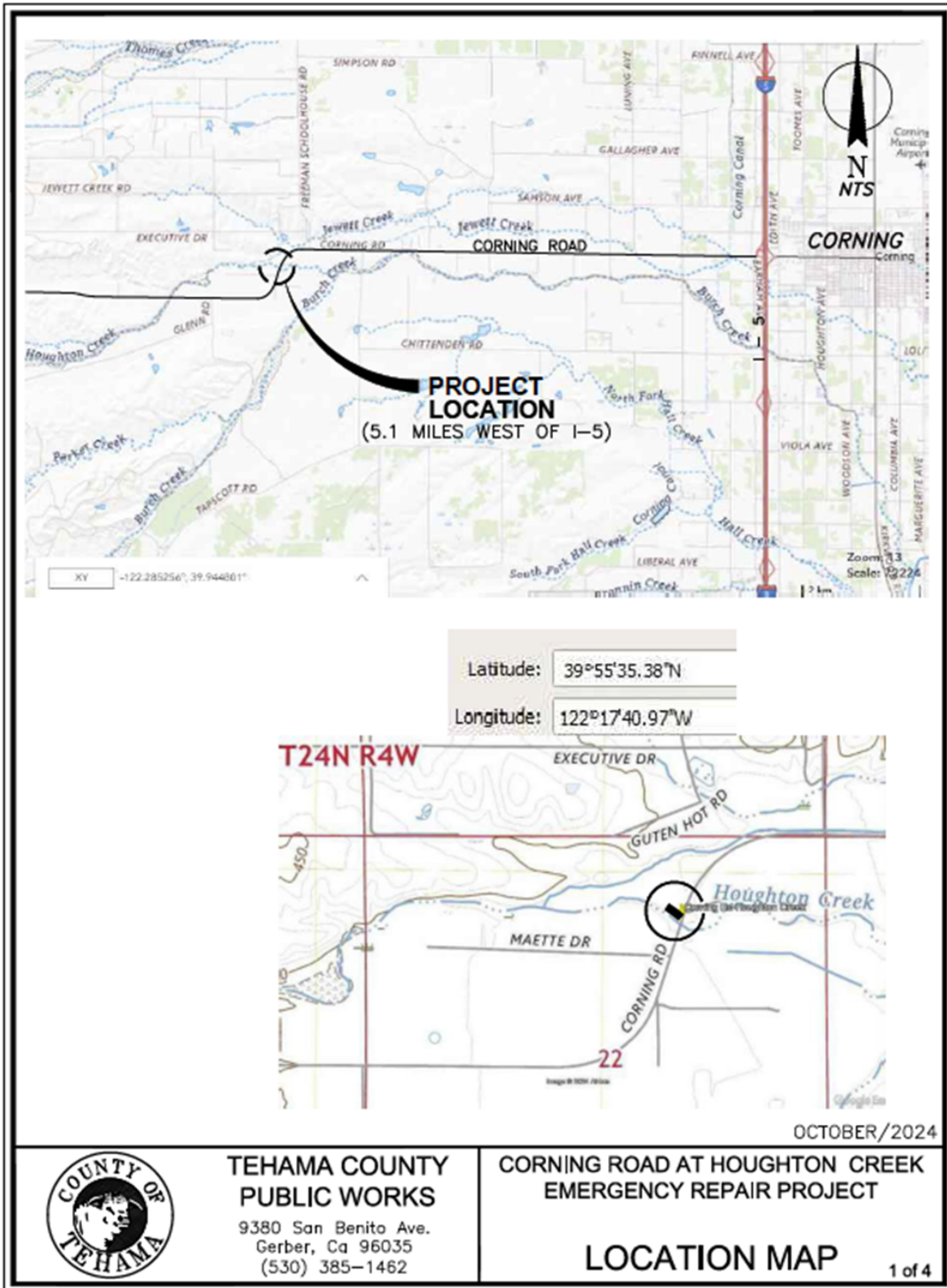


Figure 2. Project Impact Map

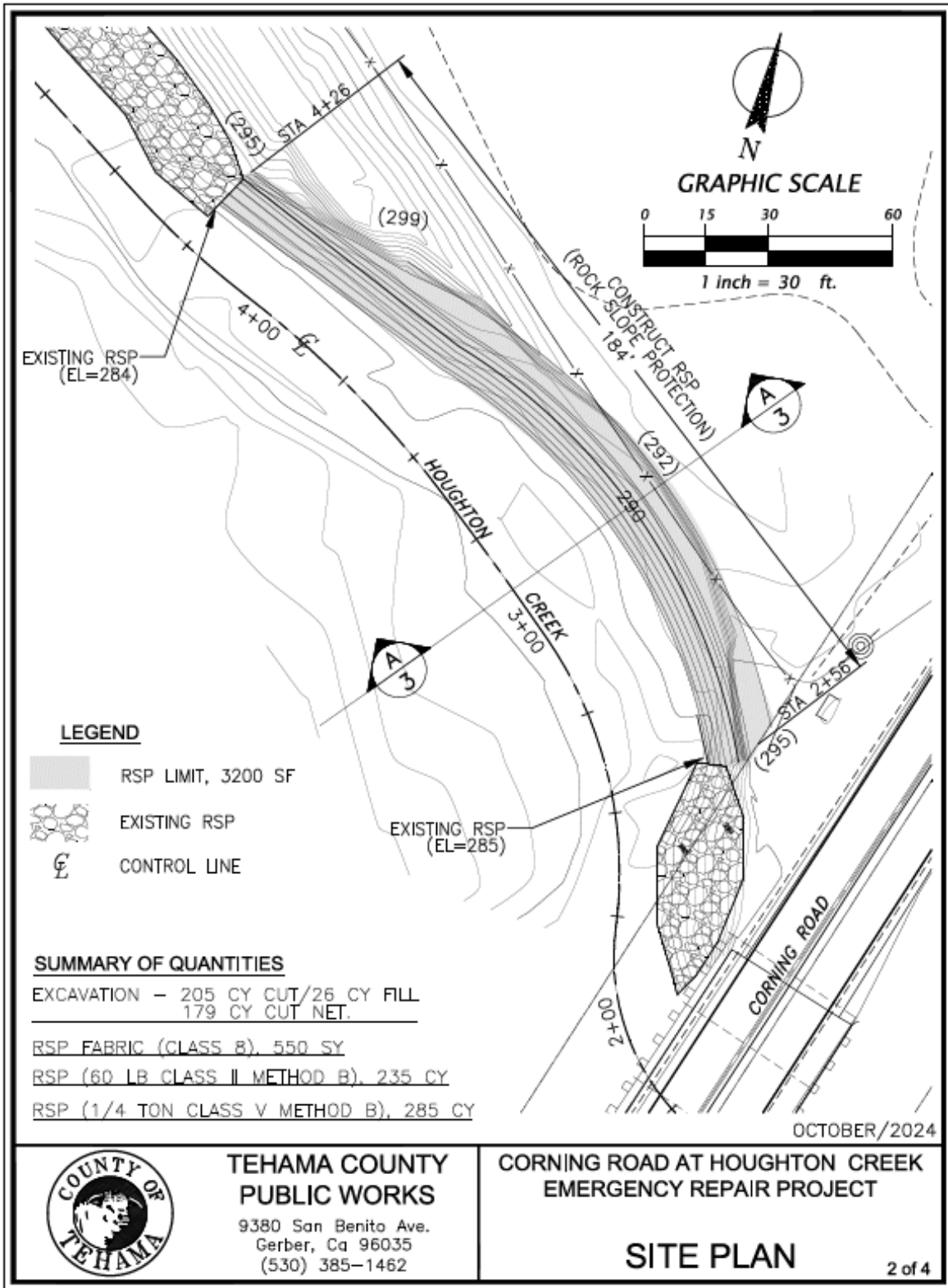


Figure 3. Project Impact Map

