10 November 2026

Dan Newton
Tehama County Public Works
9380 San Benito Avenue
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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2023-0058-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF DREDGED OR FILL MATERIAL TO WATERS OF THE STATE FROM EMERGENCY REPAIR AND PROTECTION ACTIVITIES, SIMPSON ROAD BRIDGE AT THOMES CREEK EMERGENCY PROTECTION/STREAM REALIGNMENT PROJECT (WDID NO. 5A52CR00262), TEHAMA COUNTY**

On 29 October 2026, Tehama County Public Works submitted a request for coverage of the Simpson Road Bridge at Thomes Creek Emergency Protection/Stream Realignment Project (Project) under State Water Resources Control Board Order No. 2023-0058-DWQ, Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material to Waters of the State from Emergency Repair and Protection Activities (General Dredge or Fill WDR). After reviewing the enrollment materials, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for coverage under the General Dredge or Fill WDR.

This Notice of Applicability (NOA) is being issued to Tehama County Public Works (hereinafter Enrollee) by the Central Valley Water Board to verify enrollment of the Project under the General Dredge or Fill WDR. A copy of the General Dredge or Fill WDR 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).

The Project must proceed in accordance with the requirements contained in this NOA and the General Dredge or Fill WDR. All construction must be kept to the minimum necessary to alleviate the immediate emergency. Failure to comply with the General Dredge or Fill WDR constitutes a violation of the California Water Code and may result in enforcement action and/or termination of enrollment. The Project is described in the notification form requesting coverage under the General Dredge or Fill WDR, dated 29 October 2026, and supplemental information (Application Package). Coverage under the General Dredge or Fill WDR is no longer valid if the Project, as described, is modified.

## I. PROJECT DESCRIPTION

The Enrollee proposes to extract approximately 19,790 cubic yards of gravel from Thomes Creek in an effort to protect the Simpson Road bridge from wash-out and/or closure. The northern bridge abutment is in jeopardy of failure due to migration of the stream channel during high flow events and resultant erosion of the river-left bank. The project proposes to realign the low flow channel away from the left streambank by extracting gravel from the main channel.

Large earthmovers (scrapers) will be used to cut a new channel and remove the material to a stockpile area outside of the channel. Approximately 1150 feet of new channel will be created upstream of the bridge by removing (cutting) gravel deposits. The new channel bottom will be 32 feet wide with 10:1 slopes for a total width between 54 and 135 feet. Minor amounts of vegetation will be removed within the channel during the project primarily consisting of small patches of salt cedar (*Tamarix ramosissima*), mulefat (*Baccharis salicifolia*), and willow (*Salix sp*). Surface flows are not currently present, however, there are intermittent pools present within the channel. Channel excavation may also expose additional subsurface water.

An existing access road into the channel from the upland stockpile area is present, however it is overgrown with riparian vegetation including willow, wild grape (*Vitus californica*), mulefat, Himalayan blackberry (*Rubus armeniacus*) and Fremont cottonwood (*Populus fremontii*). The vegetation is above the OHWM and will be removed and the road improved to allow access. No material will be placed in the stream channel below the OHWM due to access road improvements.

## II. DESCRIPTION OF DIRECT IMPACTS TO WATERS

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

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

| Aquatic Resources Type | Acres | Cubic Yards | Linear Feet |
|---|---|---|---|
| Stream Channel | 2.93 | 19,790 | 1150 |

## IV. PROJECT LOCATION

County: Tehama

Latitude: 39.95500° and Longitude: -122.32900°

## V. PROJECT SCHEDULE

Emergency repairs and construction **must commence within fourteen (14) calendar days** of issuance of this NOA unless an extension is agreed to, in writing, by the Central Valley Water Board.

Authorized work in waters of the state **shall be completed within 180 days of the enrollment date**. If it is anticipated that work will not be completed prior to the

expiration of enrollment, the Enrollee shall request an extension at least thirty (30) days prior to the expiration date. The request shall include justification for the extension.

## VI. WATER QUALITY MONITORING

### A. General:

If surface water is present, continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g., oil and grease, turbidity plume, or uncured concrete). The Enrollee shall perform surface water sampling:

1. when performing any in-water work;
2. during the entire duration of temporary surface water diversions;
3. in the event that the Project activities result in any materials reaching surface waters; or
4. when any activities result in the creation of a visible plume in surface waters.

### B. Accidental Discharges/Noncompliance:

Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Valley Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

### C. In-Water Work:

During planned in-water work, any discharge(s) to waters of the state shall conform to the following water quality standards:

1. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.

2. Activities shall not cause turbidity increases in surface water to exceed:

    a. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;

    b. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;

    c. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;

    d. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;

e. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer. Sampling during in-water work shall be conducted in accordance with Table 2 sampling parameters.

[1] The sampling requirements in Table 2 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

The sampling frequency and/or monitoring locations may be modified for certain projects with written approval from Central Valley Water Board staff. A Water Quality Monitoring Report, as described in Attachment B (Report Type 7) of the General Dredge or Fill WDR, shall be submitted within two weeks on initiation of in-water construction, and every two weeks thereafter. In reporting the data, the Permittee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Order requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria in VI.C.2.

If no sampling is required, the Permittee shall submit a written statement stating, “No sampling was required” within two weeks on initiation of in-water construction, and every two weeks thereafter.

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[1] Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer’s instructions. A calibration and maintenance log for each meter used for monitoring shall be maintained onsite.

**Table 2: Sample Type and Frequency Requirements**

| Parameter | Unit of Measurement | Type of Sample | Minimum Frequency |
|---|---|---|---|
| Turbidity | NTU | Grab | Every 4 hours |
| Visible construction related pollutants[2] | Observations | Visual Inspections | Continuous throughout the construction period |

## VII. HAZARDOUS MATERIALS

**A.** The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to fish and wildlife resulting from or disturbed by project-related activities is prohibited and shall be prevented from contaminating the soil and/or entering waters of the state. In the event of a prohibited discharge, the Permittee shall comply with notification requirements in section VI.G.3.b and Attachment B of the General Dredge or Fill WDR.

**B.** No wet concrete will be placed into wetland habitat.

## VIII. REPORTING AND NOTIFICATION REQUIREMENTS

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 California Water Code.

The Enrollee shall submit all reports in accordance with section VI.G and Attachment B of the General Dredge or Fill WDR and this Notice of Applicability via email to centralvalleyredding@waterboards.ca.gov and copy Jerred Ferguson at Jerred.Ferguson@waterboards.ca.gov. The WDID No. for this Project is 5A52CR00262.

## IX. APPLICATION FEE RECEIVED

An application fee of $ 4,212.00 was received on 30 October 2026. 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 F - Emergency Projects authorized by a Water Board General Order (fee code 85) with the dredge and fill fee calculator.

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[2] Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

## 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 at Jerred.Ferguson@waterboards.ca.gov.

*Original Signed by Clint E. Snyder, AEO*

For Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control Board's Water Quality Order No. 2023-0058-DWQ, Statewide General Waste Discharge Requirements for Discharges of Dredged or Fill Material to Waters of The State from Emergency Repair and Protection Activities

cc via email:

U.S. Environmental Protection Agency, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Shawn Furtado, Tehama County Public Works, Gerber
Dyana Judnick, California Department of Fish and Wildlife, Region 1, Redding