



Central Valley Regional Water Quality Control Board

18 April 2023

Erica Jones
Pacific Gas & Electric Company
300 Lakeside Drive
Oakland, CA 94612

**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), PACIFIC GAS & ELECTRIC COMPANY, JAKE'S CULVERT
REPLACEMENT PROJECT, WDID NO. 5A45CR00634, SHASTA COUNTY**

On 6 March 2023, Pacific Gas & Electric Company (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Jake's 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 3(a), Maintenance. 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 Jake's 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 Pacific Gas & Electric Company (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. Project Status Notifications in the General Order include a Commencement of Construction Notice at least seven days prior to start of initial disturbance activities and a Request for Notice of Project Complete Letter within 30 days following completion of all project activities, including post-construction monitoring.

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

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 10 March 2023 to 31 March 2023.

II. Project Description

To improve access to their electric transmission line facilities, the Enrollee is proposing to repair an existing stream-road crossing located within the 2021 Salt Creek Fire burn scar. Two non-functioning culverts (18- and 24-inch culverts) will be removed. The two culverts will be replaced with a rock armored vented ford. The crossing is designed to overtop during flood events, and an 18-inch diameter by 20 feet long culvert will be installed to pass base flows. The project also consists of installing bioengineered bank stabilization upstream of the inlet to correct culvert functionality, reduce erosion and sedimentation, and improve aquatic habitat. The inlet will be armored with 6-inch riprap while the outlet will be armored with 12- to 18-inch rip-rap. To improve bank stabilization, root wads (large woody debris) will be buried in the bank and incorporated into the rock slope protection at the culvert inlet. To reduce downstream turbidity, a series of rock check dams will also be installed immediately upstream of the culvert inlet. All work will be conducted during the dry season and, if applicable, dewatering (clear water diversion) will be implemented.

III. Project Location

County: Shasta County

Address: Coal Creek Road

Nearest City: O'Brien

Latitude: 40.842273° and Longitude: -122.326005°

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, May 2018 (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

The Project will impact 0.009 acre of Waters of the United States, specifically an unnamed stream. These impacts include temporary impacts of 0.005 acre of stream channel and permanent impacts of 0.004 acre of stream channel.

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 Impacts¹

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.005		20

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.004	56.2	50

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

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.

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.

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 \$2,734.00 was received on 28 March 2023. 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 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. The Project proposes to improve the flow conditions of the existing drainage thereby improving water quality. 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 Katie Gilman at (530) 224-3212 or Katie.Gilman@waterboards.ca.gov.

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

4/18/2023
 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

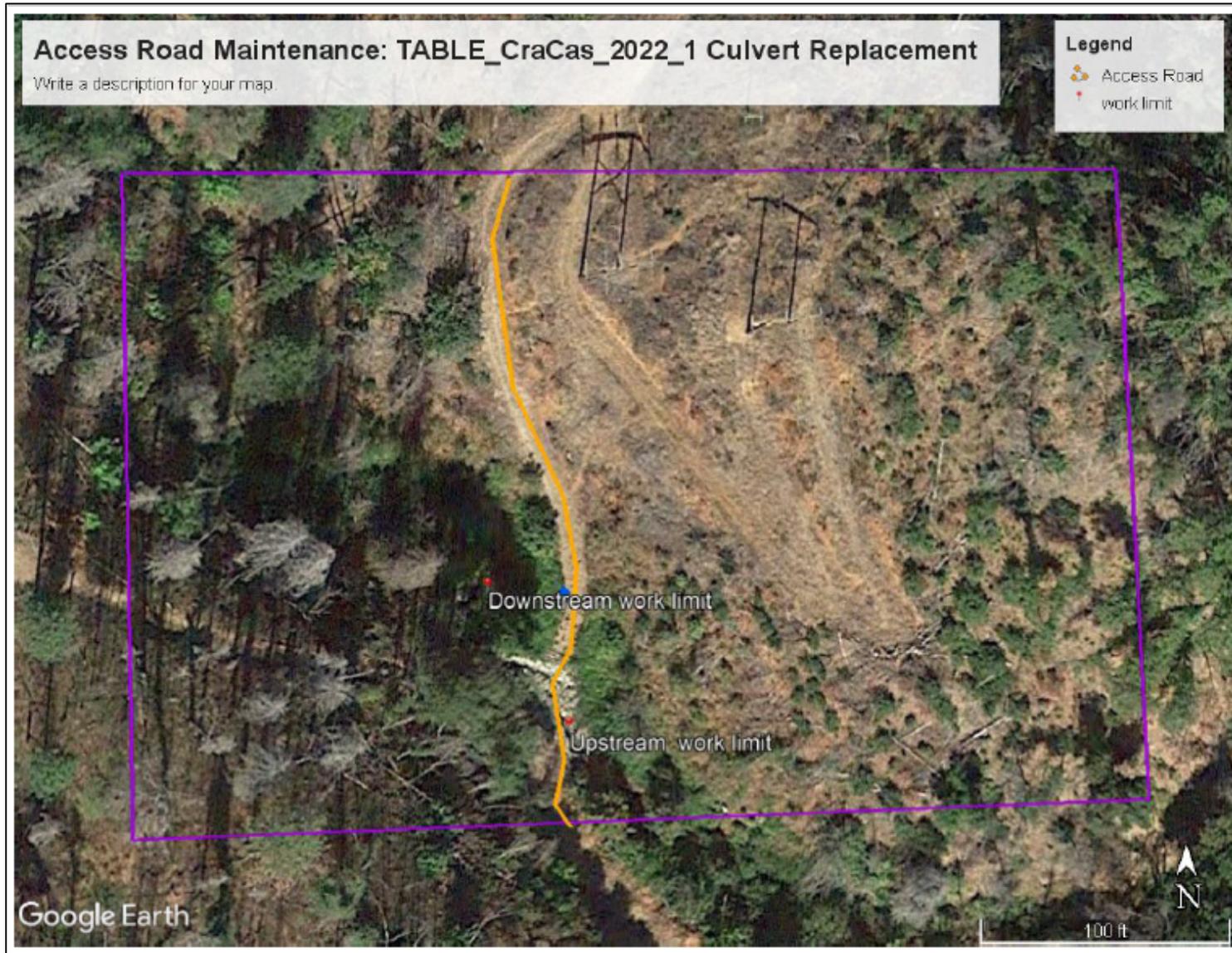
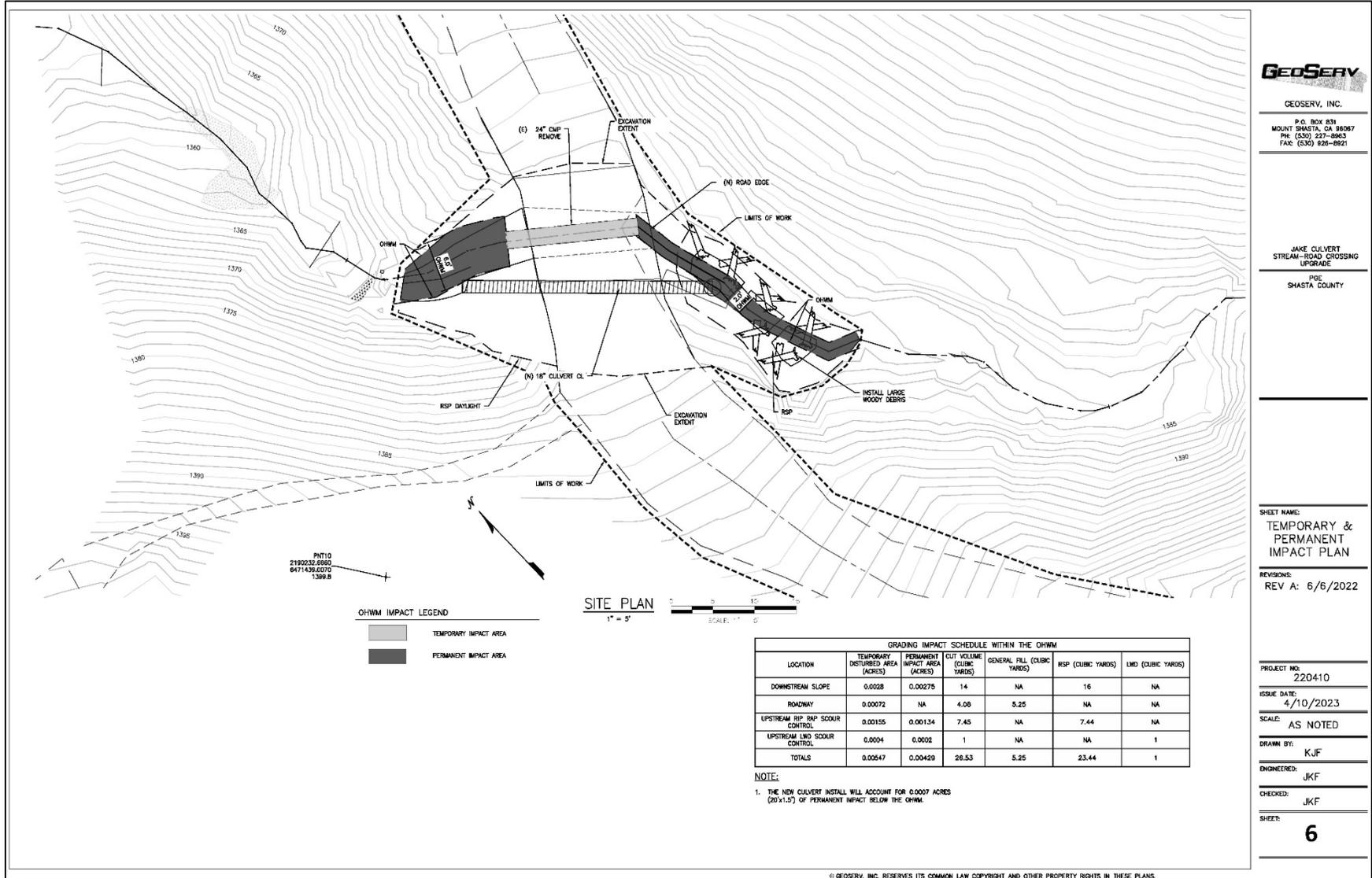


Figure 2. Project Impact Map



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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
Jake's Culvert Replacement Project	Unnamed tributary to Coal Creek	Stream	506.10	Shasta Lake	MUN, AGR, POW, REC-1, REC-2, WARM, COLD, 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
Jake's Culvert Replacement Project	40.842273°	-122.326005°	No	0.005		20

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Jake's Culvert Replacement Project	40.842273°	-122.326005°	No	0.004	56.2	50

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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, which 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.)

DISTRIBUTION LIST

United States Environmental Protection Agency
Region 9, San Francisco
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Water Quality Certification Program
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