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## Central Valley Regional Water Quality Control Board

2 July 2025

Carlos Gonzalez  
Tulare County Publics Works Department  
5961 South Mooney Boulevard  
Visalia, CA 93277

**NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE TULARE COUNTY PUBLIC WORKS DEPARTMENT, AVENUE 404 OVER COTTONWOOD CREEK BRIDGE PROJECT - GEOTECHNICAL BORINGS PROJECT, (WDID# 5C54CR00158), TULARE COUNTY**

On 29 May 2025, Tulare County Public Works Department (Permittee) filed a notification requesting coverage under the 12 October 2021 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification of the United States Army Corps of Engineers (USACE) Nationwide Permits (Order No. WQ 2021-0048-DWQ) for the Avenue 404 over Cottonwood Creek Bridge Project - Geotechnical Borings (Project). After review of the notification and the supplemental material submitted by the Permittee, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under this General Certification Order. The proposed activity will take place within less than 0.05 acres of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit 6, Survey Activities, subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf)) can be found on the State Water Resources Control Board's General Orders webpage.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 29 May 2025, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

**PROJECT DESCRIPTION:**

The Permittee proposes to complete exploratory geotechnical borings in Cottonwood Creek in Tulare County to provide information on the soil upon which the replacement of a bridge that was destroyed in the 2023 storms will be built. The borings will be approximately 80 feet deep and 8-10 inches wide. They will be located at four (4) points along the original bridge placement and spaced approximately 40-45 feet apart (see Attachment C attached). Two of the four (4) borings will be within the ordinary high-water mark (OHWM) of Cottonwood Creek. The other two (2) borings will be above the OHWM, upland on the existing banks.

All four (4) borings will be excavated with a truck-mounted hollow-stem auger. Once the auger is in place, the sampler will be hammered into the soil at five-foot increments inside the auger until it reaches just below the bottom of the auger. The truck(s) are 25 feet long and 8 to 10 feet wide. The four (4) borings will be completed in approximately four days, with an estimated 10-hour window to complete each boring. Excavated holes will be filled with soil cuttings and/or native material to maintain the existing condition. Borings will not require any channel clearing and will be done in the dry season. The auger trucks will enter the Creek just north of the temporary bridge structure off of the temporary access road. The area does have a high-water table and has subterranean flow year-round.

The Project is located within the habitat for multiple Threatened and Endangered Species. Clearance surveys and work education awareness programs will be conducted prior to any boring activities to avoid impacts to sensitive species that may be in the area. The surveys will include flagging burrows, nests, and special status vegetation for the boring sites and the ingress and egress routes to the boring sites, with buffer zones around the flagged resources of various sizes depending on the species. Biologists who conduct the surveys will meet the boring geotechnical team onsite prior to the start of boring activities to provide guidance on where the flagged resources are and how to avoid them. Surveys will be completed several days before boring activities are scheduled to occur to determine if the ingress/egress routes will need to be changed.

The purpose of the Project is to provide samples for analysis to determine if the underlying soil is structurally competent for the reconstruction of the Avenue 404 Bridge that was destroyed in the 2023 rainstorms. The reconstructed Bridge will provide safe passage for the property owners who rely on the bridge to access the main roadways. This application is for the exploratory geotechnical borings that will inform the design and compliance requirements for the new bridge only. The Project will temporarily impact 0.05 acres/50 linear feet of stream channel aquatic resource. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT LOCATION:**

The Project is located on Avenue 404, west of Millwood Drive (State Route 245) in unincorporated Tulare County. The start location of the Project is at latitude 36.521721 Degrees and longitude -119.131536 Degrees, and the end location of the Project is at latitude 36.521744 Degrees and longitude -119.131014 Degrees.

**PROJECT SCHEDULE:**

The proposed Project commencement date is August 2025, and the Project completion date is September 2025.

**APPLICATION FEE RECEIVED:**

An application fee of \$4,212.00 was received on 29 May 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 dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Ernesto P. Garcia at (559) 445-6281 or at [Ernesto.Garcia@waterboards.ca.gov](mailto:Ernesto.Garcia@waterboards.ca.gov).

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