23 January 2026

Katie Nunn
American Valley Community Services District
900 Spanish Creek Road
Quincy, CA 95971

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), AMERICAN VALLEY COMMUNITY SERVICES DISTRICT, SPANISH CREEK EMERGENCY BANK REPAIR PROJECT, PLUMAS COUNTY, WDID NO. 5A32CR00260

This letter serves to notify American Valley Community Service District the Spanish Creek Emergency Bank 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 at approximate latitude 39.9496° and longitude -120.9401° in Plumas County, California.

This Notice of Applicability (NOA) is being issued to American Valley Community Service District (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).

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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

I. EMERGENCY WORK DESCRIPTION

The Enrollee will conduct emergency erosion repairs to the right bank of Spanish Creek caused by a fallen cottonwood tree during a storm event on 3 January 2026, which resulted in a large section of undercutting and exposed soils. The root wad of the tree (estimated to be 20 feet in diameter) is angled downstream such that the tree deflects the flow toward the right bank. The project is located within the active channel of Spanish Creek, adjacent to the Enrollee's secondary treated wastewater effluent containment pond, "Irrigation Pond"; Irrigation Pond and Spanish Creek are separated by a single levee.

Tree Removal

To facilitate the tree removal without further damaging the levee, the channel will be accessed from private property on the left bank of Spanish Creek using tracked equipment via a 100-foot temporary access route through an existing horse pasture. Access down to the gravel bar within the channel will be achieved by laying back a 20-foot reach of bank through cut and placement of 18.5 cubic yards of soil down to the toe of the slope of the gravel bar. The length of the ramp will be approximately 13.0 feet. Exposed portions of the tree will be cut and tracked equipment used to haul and remove the material for disposal offsite. The submerged portions of the tree will be hauled with cables onto the gravel bar for processing and removal offsite. The root wad will be relocated to the left bank to protect the toe of the bank from erosion. Disturbed soils along the temporary access route will be scarified using heavy equipment and covered with an application of local mulch (e.g., mixed leaves and pine duff). The bank lay-back will be covered with native mulch and secured with natural fiber erosion control netting.

Bank Erosion Repair

From Spanish Creek Road on the right bank, heavy equipment will be used to place clean, 2-3-foot boulders on the 8-foot x 50-foot reach of damaged bank. As each row of boulders is placed, a layer of 1-foot minus rock will be used to back-fill interstitial spaces and behind the boulders along the exposed soil to prevent further winnowing and loss of bank material. Rock will be placed up to the elevation of active erosion for a total height of up to 8 feet. No equipment will enter the channel. The boom of the excavator will enter the water only for the placement of the footer row of boulders.

II. DESCRIPTION OF DIRECT IMPACTS TO WATERS

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and those degrading ecological condition.

The project will result in a total of 0.015 acre of impacts to waters:

- Approximately 0.006-acre (20 linear feet) of Spanish Creek will be impacted from the placement of 18.5 cubic yards of soil fill on the left bank to construct a temporary access ramp.

- Approximately 0.009-acre (50 linear feet) of Spanish Creek will be permanently impacted from installation of approximately 59 cubic yards of rock slope protection on the right bank.

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.015	77.5	70

III. COMPENSATORY MITIGATION

No compensatory mitigation is required for permanent impacts to water of the state. While the impacts are considered permanent, there is no physical loss or permanent ecological degradation of a water of the state. The proposed project will return the affected creek channel and bank to pre-erosion conditions.

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. WATER QUALITY MONITORING

1. 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). Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. The Permittee shall perform surface water sampling:

a. when performing any in-water work;

b. during the entire duration of temporary surface water diversions;

c. in the event that the Project activities result in any materials reaching surface waters; or

d. when any activities result in the creation of a visible plume in surface waters.

2. 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.

3. In-Water Work or Diversions:

During planned in-water work, dewatering activities, or during the installation of removal of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

a. 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.

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

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

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

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

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

v. 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 or during the entire duration of temporary water diversions 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. An In-Water Work Water Quality Monitoring Report shall be submitted within two weeks of initiation of in-water construction, and the remaining In-Water Work Water Quality Monitoring Report shall be submitted with the Request for Notice of Completion of Discharges letter. 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 V.C.3.

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.

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

[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.

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

VI. 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 — *1/23/2026*

For Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

Date

DLW: db

Attachment A - Project Maps
Attachment B - Receiving Water, Impacts, and Mitigation Information

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
Claire Bryant, CDFW, Region 2, Rancho Cordova
Jeanie Hinds, Plumas Corp, Quincy

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Attachment A

Figure 1: Project Location Map

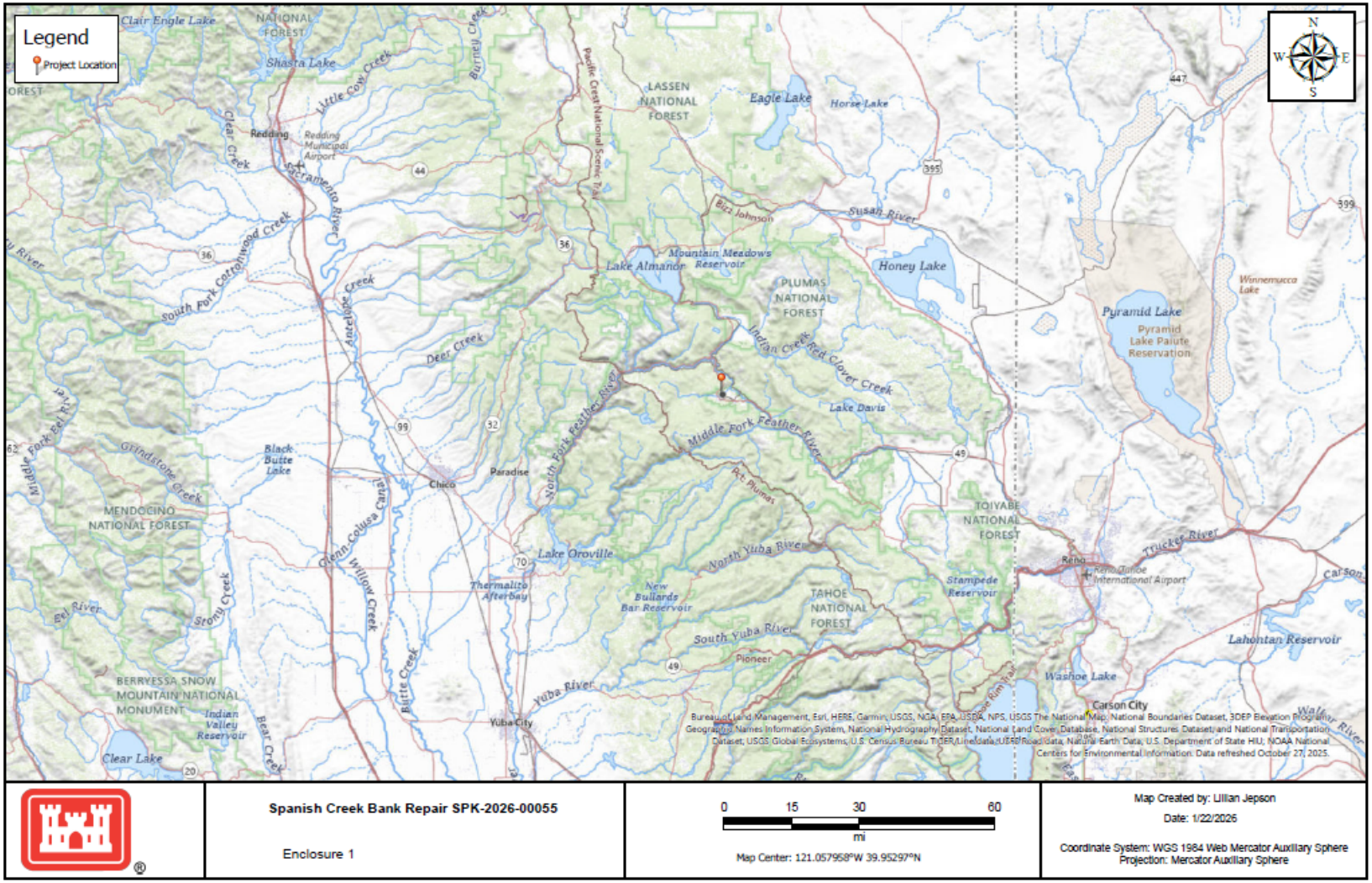
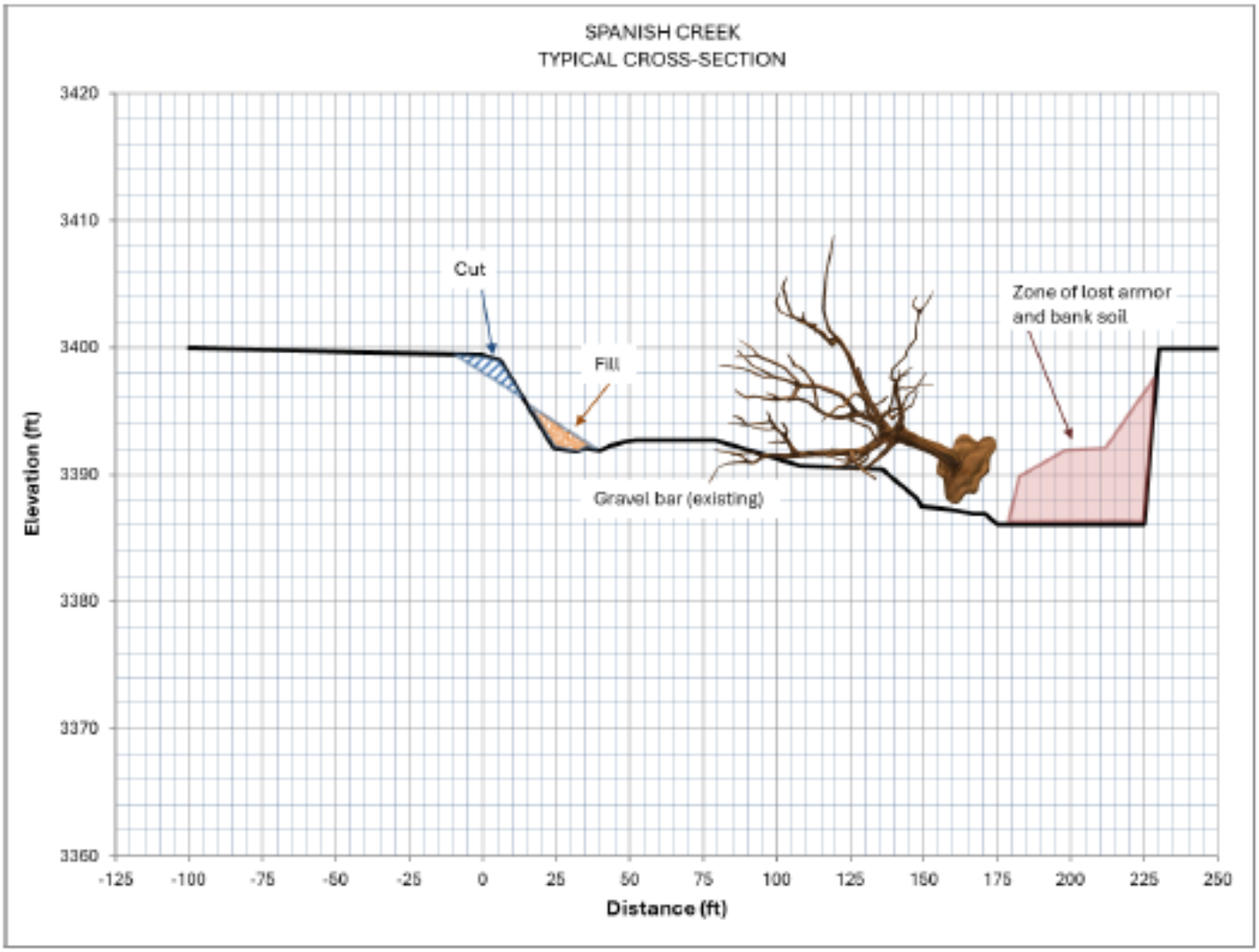


Figure 2. Project Area Map

Figure 3. Project Impact Cross Section



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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
Temporary Access Ramp	Spanish Creek	Stream Channel	518.52	East Branch North Fork Feather River	MUN, POW, REC-1, REC-2, COLD, SPWN, WILD	Indicator Bacteria	Not Applicable
Rock Slope Protection	Spanish Creek	Stream Channel	518.52	East Branch North Fork Feather River	MUN, POW, REC-1, REC-2, COLD, SPWN, WILD	Indicator Bacteria	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
Temporary Access Ramp	39.9496°	-120.9401°	No	0.006	18.5	20
Rock Slope Protection	39.9496°	-120.9399°	No	0.009	59	50