



Central Valley Regional Water Quality Control Board

21 June 2022

David Torres
City of Mt. Shasta
305 North Mt. Shasta Boulevard
Mt. Shasta, CA 96067

**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), CITY OF MT. SHASTA, MT. SHASTA SEWER INTERCEPTOR
IMPROVEMENTS CULVERT REPLACEMENT PROJECT (WDID NO. 5A47CR00057),
SISKIYOU COUNTY**

On 29 April 2022, the City of Mt. Shasta (Applicant) filed a Notice of Intent (NOI) requesting coverage for the Mt. Shasta Sewer Interceptor Improvements 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). 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 Mt. Shasta Sewer Interceptor Improvements 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 the City of Mt. Shasta (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. 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 If the Project is modified from that described in the Application Package, then coverage under the General Order is no longer valid.

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

I. Public Notice

The Central Valley Water Board provided public notice of the application from 6 May 2022 to 27 May 2022. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The proposed Project will replace a 40-foot-long, 48-inch diameter culvert with a new 40-foot-long arch culvert, with an arch measurement of 57 inches by 38 inches. The existing inlet headwall will be retained and raised by approximately 2 feet. The existing outlet headwall will be replaced at approximately 5 feet deeper than it is at present. The void behind the new headwalls will be filled with compacted base on top of slurry backfill. Riprap will be placed at the culvert outlet as an energy dissipator. The riprap will be placed 24 feet wide by 11 feet in length, and 2 feet deep; approximately 15 feet by 10 feet of the riprap will be within the ordinary high-water mark.

A temporary water diversion will be required for culvert replacement. Sandbags will be placed upstream and downstream of the work area, and a bypass pump will be used to divert the water around the work area while the culvert is being replaced. The pump will be used for approximately 25 days. A temporary culvert may be used to divert water beyond the proposed concrete headwalls during construction. When construction is complete and the concrete is sufficiently cured, the temporary culvert and/or the bypass pump will be removed.

III. Project Location

Address: The Project is located on S. Old Stage Road, approximately 900 feet south of the intersection of W. Ream Avenue and S. Old Stage Road in Mt. Shasta, Siskiyou County, California

County: Siskiyou County

Nearest City: Mt. Shasta

Section 21, Township 40 North, Range 04 West, MDB&M.

Latitude: 41.297° and Longitude: -122.314°

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 Tables 2 and 3 of Attachment B.

V. Description of Direct Impacts to Waters of the United States

The Project will impact 0.012 acre of Waters of the United States, specifically an unnamed perennial tributary to Cold Creek. These impacts include temporary impacts of 0.005 acre of stream channel and permanent impacts of 0.007 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		40

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Stream Channel	0.007	11	31

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.

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 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 \$2,417.00 was received on 6 May 2022. 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 because the project is self-mitigating. The Project proposes to restore the ecological function of the perennial stream by eliminating the elevated outlet that is creating scour, undercutting the road prism, and preventing upstream movement of aquatic life. 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 Daniel Warner at (530) 224-4848 or Daniel.Warner@waterboards.ca.gov.

Original Signed by Clint E. Snyder, P.G. (for)

Patrick Pulupa, Executive Officer

Central Valley Regional Water Quality Control Board

6/22/2022

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 1
Project Vicinity

Figure 2. Project Location 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
Stream Channel	Unnamed tributary of Cold Creek	Stream	525.22	Lake Siskiyou	MUN, REC-1, REC-2, WARM, COLD, SPWN, WILD	Not Applicable	Not Applicable

Individual Direct Impact Locations

The following table 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
Stream Channel	41.297	-122.314	No	0.005		40

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Stream Channel	41.297	-122.314	No	0.007	11	31

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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

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