

September 4, 2015

**Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)**

**Lake Earl and Lake Talawa Flood Control Project  
WDID No. 1A1001WNDN**

**Del Norte County**

On August 13, 2015, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the California Department of Fish and Wildlife (Applicant), requesting reissuance of Federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Lake Earl and Lake Talawa Flood Control Project (Project). The Regional Water Board Issued water quality certifications in 2004 and 2009 for the same activities currently proposed. The proposed Project will cause disturbances to waters of the United States and the State associated with Lake Earl, Lake Talawa and the Pacific Ocean within the Smith River Hydrologic Unit No. 103.11. The Project is located at the southwest corner of Lake Talawa where it is closest to the Pacific Ocean, Fort Dick, Del Norte County, at latitude 41.8275°N, and longitude 124.2258°W. No permanent impacts to waters of the U.S. and the State are proposed. Temporary impacts to waters of the U.S. and the State include approximately 200 linear feet of shoreline.

On August 13, 2004, the California Department of Fish and Wildlife (CDFW) certified a Final Environmental Impact Report - Lake Earl Wildlife Area Management Plan (Plan) (SCH No.1989013110) for the Project in order to comply with CEQA. The Plan provides long-term direction for managing the Lake Earl Wildlife Area (LEWA) in order to optimize the management of a variety of plant and animal species with an emphasis on wetland dependent wildlife. Long-term management of the LEWA will seek the best balance between private property concerns, agriculture, and management of fish and wildlife habitat. The Plan specifies that breaching shall take place at the narrowest part of the sandbar between Lake Talawa and Pacific Ocean. Breaching the sand bar involves excavating a trench approximately 200-feet long by 20-feet wide by 4-feet deep between Lake Talawa and the Pacific Ocean to start the flow of water from the lake into the ocean. Once the flow is started the flow increases rapidly and causes additional erosion of the sandbar. A breaching event is allowed whenever the water surface elevation of the lakes reaches 8.0 feet above mean sea level (MSL) during the period between September 1 and February 15. A final breaching event is allowed again on February 15 if the water surface elevation in the lakes is above 5.0 MSL. The actual surface elevation of the lakes could reach 10.0 feet MSL before breaching is completed.

The proposed Project will result in no net loss of wetlands. The Project does not require removal of any trees or riparian vegetation. Approximately 200 linear feet of shoreline will

be temporarily impacted during breaching events. The volume of material mechanically dredged during a breaching event is approximately 750 cubic yards.

The Project is planned to begin in the fall of 2015 through 2020 annually, with breaching work planned to take place between September 1 and February 15<sup>th</sup> if necessary.

The Applicant has applied for re-authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit. The Applicant has applied for re-authorization from the California Coastal Commission for a Coastal Development Permit. The Applicant has applied to the California Department of Fish and Wildlife to obtain a Streambed Alteration Agreement.

On August 13, 2004, CDFW, as lead California Environmental Quality Act (CEQA) agency, certified a Final Environmental Impact Report - Lake Earl Wildlife Area Management Plan (SCH No.1989013110), pursuant to CEQA guidelines.

The information contained in this public notice is only a summary of the Applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed Project including maps and photos. The application and Regional Water Board file are available for public review.

Regional Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Gil Falcone [gil.falcone@waterboards.ca.gov](mailto:gil.falcone@waterboards.ca.gov) at (707) 576-2830 or Stephen Bargsten [stephen.bargsten@waterboards.ca.gov](mailto:stephen.bargsten@waterboards.ca.gov) at (707) 576-2653 within 21 days of the posting of this notice.