



**Linda S. Adams**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board Central Valley Region

**Karl E. Longley, ScD, P.E., Chair**

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**Arnold  
Schwarzenegger**  
Governor

28 October 2009

Jeffrey R. Single, Ph.D., Regional Manager  
California Department of Fish and Game  
1234 E Shaw Avenue  
Fresno, CA 93710

## **RESPONSE TO COMMENTS, MITIGATED NEGATIVE DECLARATION, OLD DUCEY'S COVE CHANNEL ARMORING, SCH # 2009101025, MADERA COUNTY**

We have reviewed your 20 October 2009 comments regarding the potential for construction noise to disrupt the reproductive success of bald eagles and other raptor, migratory birds and protected bird species in the project area.

To prevent negative impact to reproductive success of bald eagles and other protected bird species, the project proponent has agreed to limit construction activities to the non-breeding season. The Water Quality Certification for the project will prohibit construction during the bird breeding season, defined by your comment letter as February 1 through September 15.

If there are any further questions or comments regarding this matter, please contact Debra Bates by phone at (559) 445-6281, or by email at [dbates@waterboards.ca.gov](mailto:dbates@waterboards.ca.gov).

### *ORIGINAL SIGNED BY:*

W Dale Harvey  
Senior WRC Engineer  
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cc: State Clearinghouse, Sacramento  
Julie Means, Department of Fish and Game, Fresno  
Lisa Gymer, Department of Fish and Game, Fresno  
Jay Duhn, Bass Lake Boat Owners Dock Association, Bass Lake