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## State Water Resources Control Board

### Public Notice of Application for Water Quality Certification for the California Department of Fish and Wildlife's 2021 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project

State Water Resources Control Board  
Division of Water Quality  
Water Quality Certification Program  
**Date Posted: March 24, 2022**

**Affected Counties: Humboldt, Mendocino, Monterey, Siskiyou, and Sonoma**

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Water Quality Certification Program.

State Water Resources Control Board (State Water Board) staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. **Staff will consider all comments submitted in writing and received at this office during a 21-day comment period that begins on the first date of issuance of this notice (March 24, 2022) and ends at 5:00 p.m. on the last day of the comment period (April 14, 2022).** To submit comments, or if you have questions, please contact the State Water Board staff person listed below.

#### **State Water Resources Control Board Contact:**

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State Water Resources Control Board  
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**Note: No regulatory decision on the application is implied or intended in this public notice.**

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

**Project Name: The 2021 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project**

(Reg. Meas. ID: 446554 and SWRCB ID: SB22004IN)

**Background:** On March 10, 2022 the California Department of Fish and Wildlife (CDFW) submitted a complete application for Clean Water Act Section 401 water quality certification for the 2021 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project (Project). The date in the Project title refers to the grant cycle year that individual projects were chosen by the CDFW, not the year that the application for certification was received. That is, the individual projects selected for funding during the 2021 grant cycle are being considered for water quality certification in 2022.

**Project Description:** The purpose of the proposed activities is to restore degraded salmonid habitat with the goal of increasing populations of wild anadromous fish in coastal streams and watersheds.

The Project would consist of 11 individual sites that occur in various streams and watersheds in the California counties of Humboldt, Mendocino, Siskiyou, Monterey, and Sonoma (Figure 1). The Project would include the following restoration or enhancement activity classes: Instream Habitat Improvements, Unanchored Large Woody Debris, Fish Passage at Stream Crossings, Riparian Habitat Restoration, Upslope Restoration, and Watershed and Stream Bank Stability. These activities would be implemented in accordance with the California Salmonid Stream Habitat Restoration Manual 4th Edition (available online at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=22610&inline>).

The Project application reports impacts to waters of the state as shown in Table 1. All waters of the state that are proposed to be impacted by the Project are also waters of the United States. All temporarily impacted areas would be restored to pre-project condition once the Project is complete. Table 2 provides the quantities of restored waters of the state reported in the application. Project activities would result in a net increase in area and quality of waters of the state. Therefore, no compensatory mitigation is proposed.

The CDFW, acting as lead agency under the California Environmental Quality Act (CEQA) adopted a Mitigated Negative Declaration (MND) for the Project on November 15, 2021. This MND is available at the following website: <https://ceqanet.opr.ca.gov/2021090528>.

Table 1: Reported Total Project Fill/Excavation Impacts to Waters of the State

<b>Aquatic Resource type</b>	<b>Riparian Zone</b>	<b>Stream Channel</b>	<b>Wetland</b>
Acres of temporary impact	5.12	2.02	0.01
Linear feet of temporary impact	13,486	11,032	190
Acres of permanent physical loss of area	0.95	1.12	0.12
Linear feet of permanent physical loss of area	4,380	7,947	806

Table 2: Reported Total Project Restoration<sup>1</sup> of Waters of the State

<b>Aquatic Resource type</b>	<b>Riparian Zone</b>	<b>Stream Channel</b>	<b>Wetland</b>
Acres of restoration	8.96	25.87	1.49
Linear feet of restoration	20,886	52,890	1,585

**A Certification or Denial will be prepared by the State Water Board for the 2021 Fisheries Restoration Grant Program's Mitigated Negative Declaration Project.**

**Applicant: California Department of Fish and Wildlife**

**Applicant Contact: Timothy Chorey**

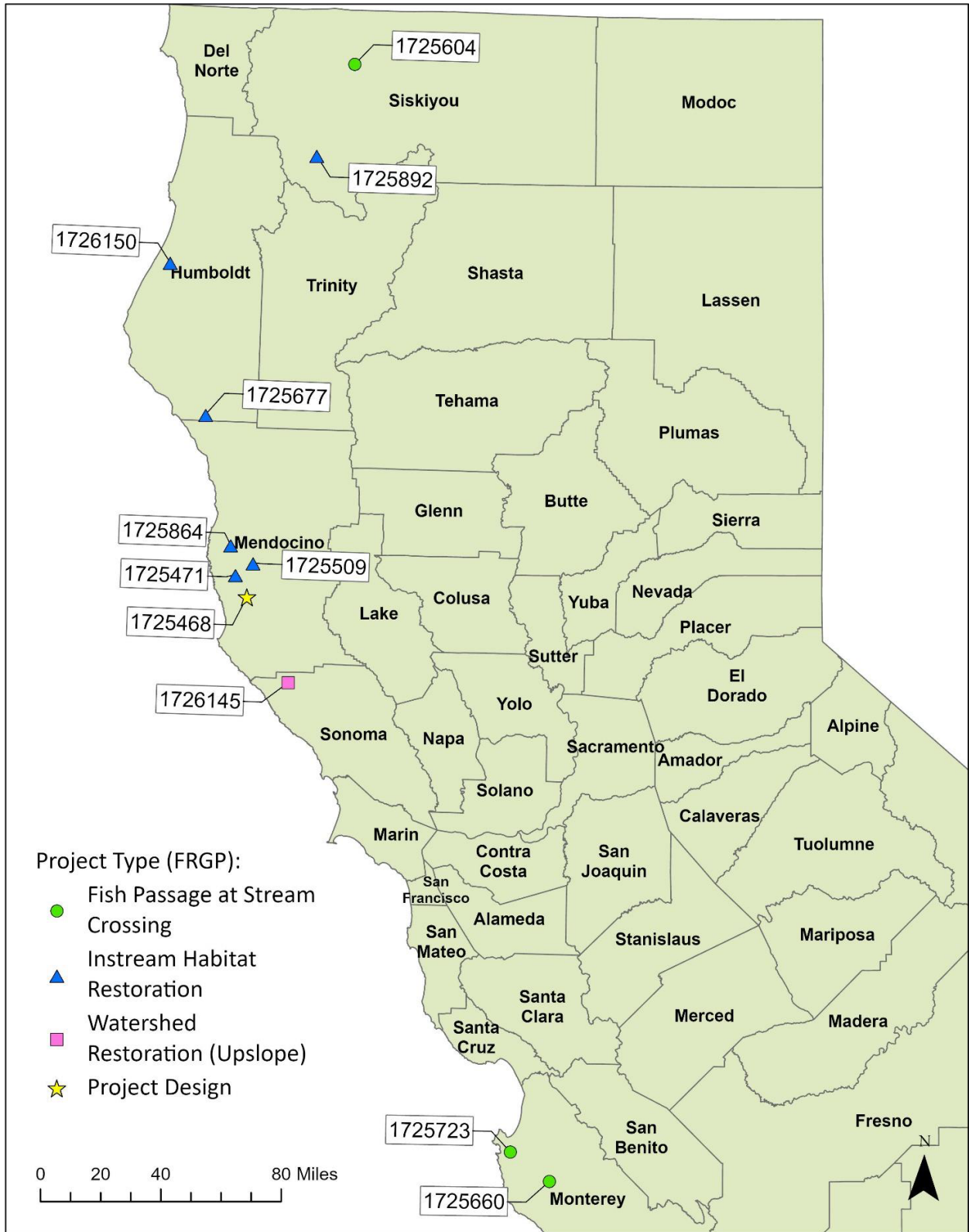
**Telephone: (916) 838-0760**

**Email: Timothy.Chorey@wildlife.ca.gov**

**Date Application Deemed Complete: March 10<sup>th</sup>, 2022**

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<sup>1</sup> Restoration as used in this table is a general term that includes Re-Establishment, Enhancement, and Rehabilitation.



California Department of Fish and Wildlife, Fisheries Restoration Grant Program. D.Mastalir. 20220119

Figure 1. Map showing individual project locations

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Board has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

***KEEP INFORMED OF PROJECT MILESTONES***

To be informed of milestones in the development of this proposed Water Quality Certification, any interested persons should enroll in the State Water Board's 401 Program e-mail notification service.

Click the SUBSCRIBE button under the "Quick Links" section of the 401 Program Webpage at:

[http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/index.shtml)

Select "CWA401 Certification and Wetlands Program." By enrolling in this list, you will receive notices for all current 401 applications, including the Project announced in this notice. You will need a valid e-mail address to use this service. If you do not have internet access or do not wish to participate in the Lyris list, contact the staff person named in the notice to express your interest in receiving notices by other means. You can enroll or un-enroll at any time.