



Central Valley Regional Water Quality Control Board

6 September 2024

John Hannon
U.S. Bureau of Reclamation
801 I Street, Suite 140
Sacramento, CA 95814

NOTICE OF APPLICABILITY: STATE WATER RESOURCES CONTROL BOARD AMENDED ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION FOR SMALL HABITAT RESTORATION PROJECTS FILE NO. SB12006GN FOR U.S. BUREAU OF RECLAMATION, ELKS LODGE FLOODPLAIN PROJECT, TEHAMA COUNTY, WDID NO. 5A52CR00241

On 11 July 2024, U.S. Bureau of Reclamation (Applicant) filed a Notice of Intent (NOI) requesting coverage under the 27 March 2013 State Water Resources Control Board Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN (General Certification Order) for the Elks Lodge Floodplain Project (Project). After review of the NOI submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under the General Certification Order.

This Notice of Applicability (NOA) is being issued to U.S. Bureau of Reclamation (hereinafter Enrollee) by the Central Valley Water Board under the General Order pursuant to Section 3838 of the California Code of Regulations.

NOA Effective Date: 6 September 2024

NOA Expiration Date: 6 September 2029

A copy of the General Order is enclosed. The General Order may also be accessed on the [State Water Resources Control Board's General Orders Web Page](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2013) (http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders.html#yr_2013).

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the NOI 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

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

Package, then coverage under the General Order is no longer valid.

I. Public Notice

The Central Valley Water Board provided public notice of the application from 12 July 2024 to 2 August 2024. The Central Valley Water Board did not receive any comments during the comment period.

II. Project Description

The project will eliminate rearing and emigration stranding and associated mortality and create rearing habitat for state and / or federally listed juvenile salmonids including winter-run Chinook salmon, spring-run Chinook salmon and steelhead as well as fall / late fall-run Chinook salmon. The project includes creation of approximately three acres of periodically inundated floodplain rearing habitat. The former Elks Lodge boat harbor currently floods seasonally but does not drain back to the river which causes juvenile salmonids to become stranded and perish as the water levels drop, unless rescued.

The project involves altering the topography of the existing former harbor to increase inundation frequencies, create periodic rearing habitat, and allow the site to drain back to the Sacramento River between inundation events so that juvenile salmonids do not become stranded. During high flows, this habitat will provide critical resting and feeding habitat for young winter-run salmon and other salmonids as they rear and migrate downstream to the Sacramento River delta.

The project will regrade approximately 5,000 cubic yards of material to create floodplain habitat for flows greater than about 10,000 to 12,000 cubic feet per second (cfs). The site currently begins to inundate at approximately 25,000 cfs. Site design includes side slopes not steeper than 3H:1V, two island features, and two floodplain features to provide varied depths during floods; the design balances cut and fill onsite. Two large trees require removal near the inlet. These trees, including root wad and canopy, will be salvaged and partially buried onsite to provide aquatic and terrestrial habitat.

The project also includes post-installation monitoring of juvenile salmonids. Monitoring methods are currently being developed but may involve seining during inundation events to monitor fish use and confirming that fish are no longer becoming stranded at the site. Vegetation to be removed will be restored upon completion of the project, as required. Approximately 1.82 acres of herbaceous wetland and 1.46 acres of herbaceous upland vegetation will be revegetated in accordance with the Conceptual Revegetation Plan included in the Application Package.

Project construction is anticipated to take a total of one week. Project construction would likely mobilize in September or October as river flows are reduced, allowing groundwater levels to drop and the soils to drain. The project schedule is dependent on acquiring all environmental permits and favorable river flows in early fall. It is anticipated that construction will occur in 2024. If all environmental permits and

funding are not acquired, or if flows are not suitable, the project may occur in 2025 or later.

Periodic maintenance of the inlet / outlet may be needed to remove accumulated sediment. The frequency of maintenance activities is not known at this time and will depend on annual river flow conditions.

III. Description of Direct Impacts to Waters of the State

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 in area and also those degrading ecological condition.

Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts¹

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Perennial Stream Floodplain	0.94		N/A

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

Aquatic Resources Type	Acres	Cubic Yards	Linear Feet
Perennial Stream Floodplain	1.10	4900	800
Wetland	1.44		550

IV. Project Schedule

The Project is estimated to occur between September 2024 and December 2024.

V. Project Location

County: Tehama County

Latitude: 40.169914° and Longitude: -122.223126°

VI. California Environmental Quality Act (CEQA)

The Central Valley Water Board has determined that the Project is exempt from

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.

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 15333, Small Habitat Restoration Projects, which consists of projects not to exceed five acres to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife.

VII. Fees Received

Federal dischargers involved in Dredge and Fill Operations only are not subject to permit fees as required by Section 3833(b)(3)(A) and Section 2200(a)(3) of the California Code of Regulations.

VIII. Findings of Applicability

This letter serves as formal notice that Order No. SB12006GN is applicable to this habitat restoration project. Your waste discharge identification (WDID) number is 5A52CR00241.

IX. Reporting

A Notice of Completion (NOC) shall be submitted by the Enrollee no later than 30 days after the work has been completed. The NOC shall demonstrate that the work has been carried out in accordance with the description provided in the Enrollee's NOI.

Failure to comply with the terms and conditions of Order No. SB12006GN may expose the Enrollee to enforcement action pursuant to the Clean Water Act and California Water Code.

If you require further assistance, please contact Jerred Ferguson by phone at (530) 224-4784 or by email at Jerred.Ferguson@waterboards.ca.gov. You may also contact Lynn Coster, Senior Environmental Scientist of the Storm Water and Water Quality Certification Unit, by phone at (530) 224-2437 or by email at Lynn.Coster@waterboards.ca.gov.

Original Signed by Clint E. Snyder, AEO
For Patrick Pulupa, Executive Officer
Central Valley Regional Water Quality Control Board

9/6/2024
Date

Attachment A: Project Map(s)
Attachment B: Receiving Waters, Impacts, and Mitigation Information
Attachment C: CEQA Findings of Facts

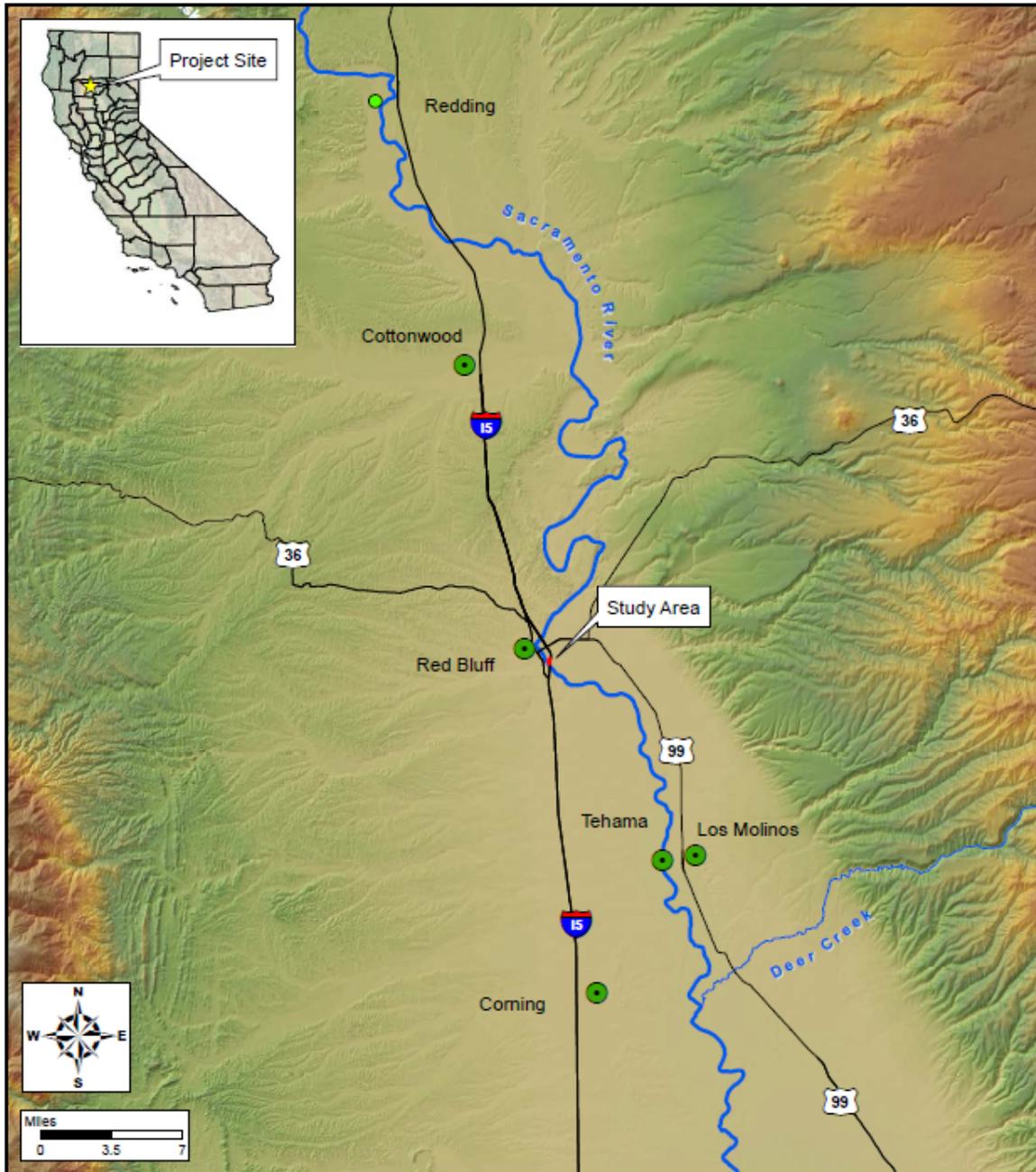
Enclosure: Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN

cc email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Christy Morgan, U.S. Army Corps of Engineers, Sacramento District
Stacey Alexander, California Department of Fish and Wildlife, Redding
Jeff Souza, Tehama Environmental Solutions, Inc. Red Bluff

(This page intentionally left blank)

Attachment A – Project Maps

Figure 1. Project Vicinity Map



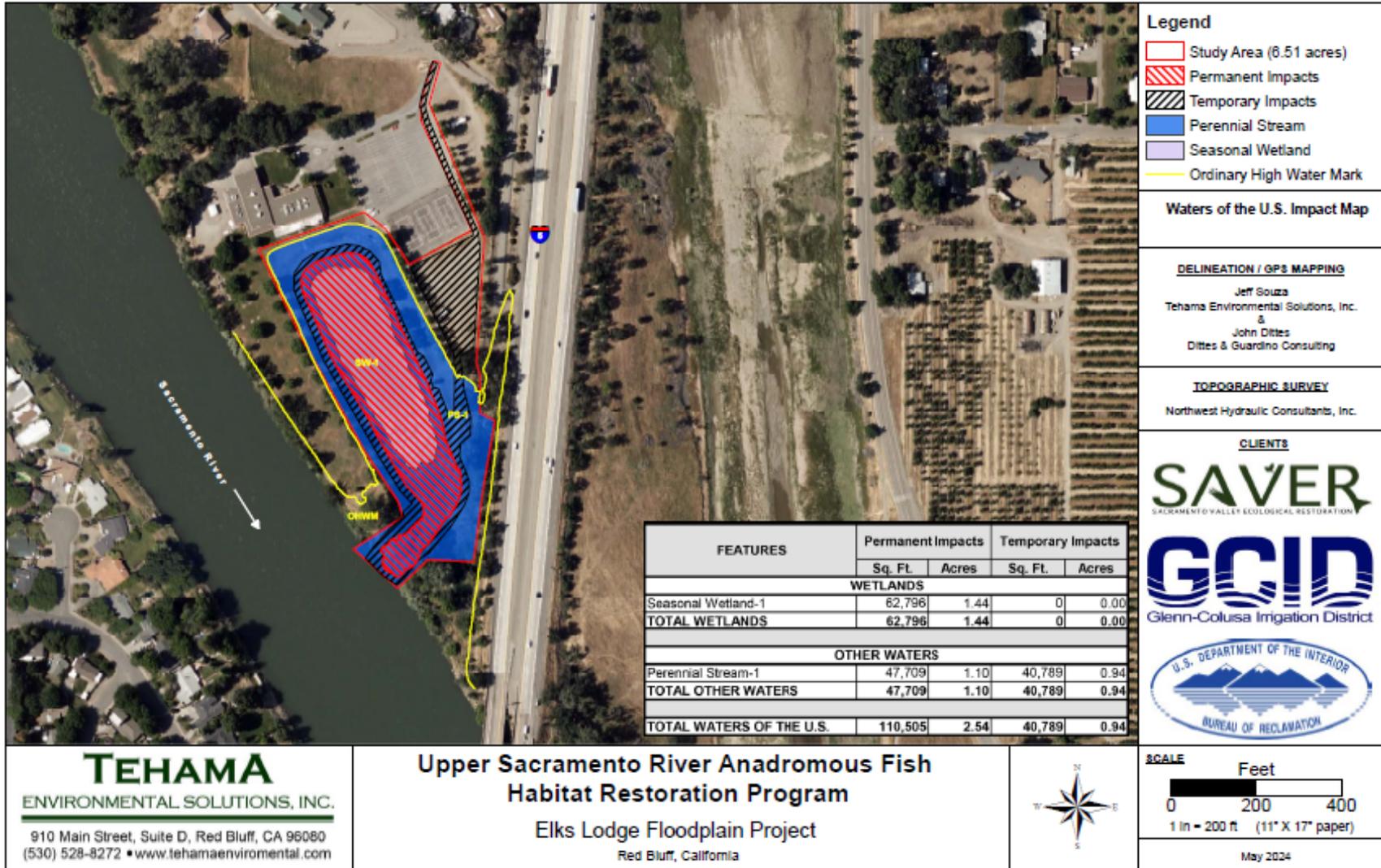
<p>TEHAMA ENVIRONMENTAL SOLUTIONS, INC. 910 Main Street, Suite D, Red Bluff, CA 96080 (530) 528-8272 • www.tehamaenvironmental.com</p>	<p>Upper Sacramento River Anadromous Fish Habitat Restoration Program</p> <p>Elks Lodge Floodplain Project</p> <p>Red Bluff, California</p> <p>May 2024</p>	<p>FIGURE 1 Site Vicinity Map</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------

Figure 2. Project Site Aerial Map



PHOTO SOURCE: Bing Virtual Earth, 2024

Figure 3. Project Waters of the U.S. Impact Map



Legend

- Study Area (6.51 acres)
- Permanent Impacts
- Temporary Impacts
- Perennial Stream
- Seasonal Wetland
- Ordinary High Water Mark

Waters of the U.S. Impact Map

DELINEATION / GPS MAPPING

Jeff Souza
 Tehama Environmental Solutions, Inc.
 &
 John Dittes
 Dittes & Guardino Consulting

TOPOGRAPHIC SURVEY

Northwest Hydraulic Consultants, Inc.

CLIENTS

SAVER
 SACRAMENTO VALLEY ECOLOGICAL RESTORATION

GCID
 Glenn-Colusa Irrigation District



TEHAMA
 ENVIRONMENTAL SOLUTIONS, INC.
 910 Main Street, Suite D, Red Bluff, CA 96080
 (530) 528-8272 • www.tehamaenvironmental.com

**Upper Sacramento River Anadromous Fish
 Habitat Restoration Program**
 Elks Lodge Floodplain Project
 Red Bluff, California



SCALE Feet
 0 200 400
 1 in = 200 ft (11" X 17" paper)
 May 2024

NOTE: DELINEATION SHOULD BE CONSIDERED PRELIMINARY UNTIL VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS PHOTO SOURCE: Bing Virtual Earth

(This page intentionally left blank)

Attachment B – Receiving Waters, Impacts and Mitigation Information

The following table shows the receiving waters associated with each impact site.

Table 1: Receiving Water Information

Impact Site ID	Waterbody Name	Impacted Aquatic Resources Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	California Rapid Assessment Method (CRAM) ID
Elks Lodge Floodplain Project	Sacramento River	Stream	504.20	Sacramento River (Shasta Dam to Colusa Basin Drain)	MUN, AGR, IND, POW, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD, NAV	Mercury, Temperature, Toxicity	Not Applicable

Individual Direct Impact Locations

The following table shows individual impacts.

Table 2: Individual Temporary Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Elks Lodge Floodplain Project (Perennial Stream Floodplain)	40.69914°	-122.223126°	No	0.94		N/A

Table 3: Individual Permanent Fill/Excavation Impact Information

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Elks Lodge Floodplain Project (Perennial Stream Floodplain)	40.04541	-121.00512	No	1.10	4900	800
Elks Lodge Floodplain Project (Seasonal Wetland)	40.04541	-121.00512	No	1.44		550

(This page is intentionally left blank)

Attachment C – CEQA Findings of Fact

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 15333, Small Habitat Restoration Projects, which consists of projects not to exceed five acres to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife.

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.)