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## Central Valley Regional Water Quality Control Board

10 January 2024

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6425 B Street  
Beale AFB, CA 95903  
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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. WQ 2022-0048-DWQ, ORDER FOR CLEAN WATER ACT SECTION 401 GENERAL WATER QUALITY CERTIFICATION AND WASTE DISCHARGE REQUIREMENTS FOR RESTORATION PROJECTS STATEWIDE, HABITAT RESTORATION FOR THE TRICOLORED BLACKBIRD, PHASE I, BEALE AFB PROJECT (WDID# 5A58CR00195), YUBA COUNTY**

On 10 October 2023, the U.S. Air Force, Beale Air Force Base (AFB) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. WQ 2022-0048-DWQ, Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (Order).

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Habitat Restoration for the Tricolored Blackbird, Phase I, Beale AFB Project (Project) meets the requirements of, and is hereby enrolled under, Order No. WQ 2022-0048-DWQ. You may proceed with your Project in accordance with the Order. This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of [Order WQ 2022-0048-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2022/wqo2022-0048-dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo2022-0048-dwq.pdf)) can be found on the State Water Resources Control Board's General Orders webpage.

The Project is described in the notification form requesting coverage under the General Certification Order, dated 10 October 2023, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified. Failure to comply with Order No. WQ 2022-0048-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

### **PROJECT DESCRIPTION:**

The 155.101-acre Project consists of restoration activities at Blackbird Basins and Blackbird Marsh that will result in the creation and/or enhancement of nesting habitat with adjacent suitable foraging habitat for tricolored blackbirds.

Improvements at Blackbird Basins will focus on repairing existing impoundments and augmenting the hydroperiod of the upstream drainages. Project elements that affect aquatic resources at Blackbird Basins include the following activities:

- *Grading*  
The wetlands associated with the small impoundments at the Blackbird Basins will be expanded by superficial grading (estimated excavation of one to three feet) to increase the extent of high-quality foraging habitat.
- *Impoundments*  
The four existing impoundments may be raised and/or repaired. The intent of the impoundment raising and/or repairs is to increase the size of small seasonal wetlands adjacent to grazed annual grassland habitat.
- *Augmented Water Supply*  
In order to buffer the effects of seasonal fluctuations in precipitation, water will be pumped into Blackbird Basins to augment the natural hydroperiod and to control hydrology during and after nesting. Groundwater will be pumped into the tributary channel(s) at Blackbird Basins. A supply line may be installed on grade or trenched from the well pad approximately 500 feet to a proposed rocked outfall tie-in with a tributary channel.

A solar powered well near one of the upstream tributaries will be utilized to pump groundwater into tributary channels. Temporary irrigation lines will be installed on grade (no trenching).

Restoration efforts at Blackbird Marsh will focus on expansion of potential nesting habitats in and around the pond, utilizing gabion structures within the pond to prevent erosion, and expansion of high-quality seasonal wetland foraging habitat. One deep, open water area will remain for other species, such as the western pond turtle. Vegetation removal along the dam and other suitable nesting habitats will be limited to necessary disturbances only and avoided and minimized as much as possible. Construction will be timed to occur after nesting has occurred.

Project elements that affect aquatic resources at Blackbird Marsh include the following activities:

- *Grading*  
Grading will be used to expand the shallowly inundated habitats associated with Blackbird Marsh. Shallow bench habitats will be increased by 2.5 acres. The total maximum storage volume of the Blackbird Marsh will be maintained below 50 acre-feet.

- *Augmented Water Supply*

In order to buffer the effects of seasonal fluctuations in precipitation, water will be pumped into the Blackbird Marsh north tributary to augment the natural hydroperiod and to control hydrology during and after nesting. A groundwater well has been drilled adjacent to Warren Shingle Road in the upland area in the northwest corner of the project area. Groundwater will be pumped into the tributary channel upstream of Blackbird Marsh.

Site management will be required to maintain suitable habitat conditions (open water, protected nesting substrate, and suitable foraging areas). The primary maintenance activities anticipated to maintain these conditions include removal of vegetation, removal of sediment, manipulation of hydrologic conditions, maintaining stable soils, and control of invasive species.

The Project will temporarily impact 1.68 acres and permanently impact 0.356 acre of wetland, temporarily impact 0.054 acre, and permanently impact 0.061 acre of stream channel, and temporarily impact 3.07 acre and permanently impact 0.55 acre of lake. Aquatic resources enhanced/restored include 3.86 acres at Blackbird Basins and 7.64 acres at Blackbird Marsh. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT LOCATION:**

The Project is located at Beale Air Force Base. The Blackbird Basins area is north of A Street. The Blackbird Marsh area is south of 14<sup>th</sup> Street and Warren Shingle Road. The approximate center of the Project area is located at latitude 39.1350635 Degrees North and longitude 121.36323 Degrees West and latitude 39.1100285 Degrees North and longitude 121.3514343 Degrees West. Assessor's Parcel Number include: 0191200029000, 019130021000, and 01914001000.

**PROJECT SCHEDULE:**

1 May 2024 through 1 November 2024

**APPLICATION FEE 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.

**ANNUAL REPORTING:**

The Permittee shall submit an Annual Report each year on the 1st day of the month, one year after the effective date of this Notice of Applicability. Annual reporting shall continue until the Central Valley Water Board issues a Notice of Project Complete Letter to the Permittee.

The Annual Report shall include the information specified in Attachment D, Part A of Order No. WQ 2022-0048-DWQ. The Permittee shall submit the report in accordance with the report submittal instructions in Attachment B of Order No. WQ 2022-0048-DWQ

and email it to [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov) with a cc to Jenna Yang at [Jenna.Yang@waterboards.ca.gov](mailto:Jenna.Yang@waterboards.ca.gov). The WDID No. for this Project is 5A58CR00195.

**NOTICE OF COMPLETION:**

Upon completion of the Project, you shall submit a Request for Notice of Project Complete (NOC) no later than 30 days after Project completion. The NOC shall demonstrate the Project was carried out in accordance with the Project description, include a map of the Project location with final boundaries of the restoration area, and include post-project photographs. More information on the NOC is listed in section B (Report Type 4) of the Order.

If you have any questions regarding this Notice of Applicability, please contact Jenna Yang at (916) 464-4764 or at [Jenna.Yang@waterboards.ca.gov](mailto:Jenna.Yang@waterboards.ca.gov).

*Original Signed By Anne Walters for:*  
Patrick Pulupa  
Executive Officer

Enclosure: Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide, Order No. WQ 2022-0048-DWQ

Attachment: Figure 1 – Project Location and Vicinity Map  
Figure 2 – Map of Aquatic Features at Blackbird Basins  
Figure 3 – Map of Aquatic Features at Blackbird Marsh  
Figure 4 – Map of Impacts at Blackbird Basins  
Figure 5 – Map of Impacts at Blackbird Marsh

cc: Distribution List, page 5

**DISTRIBUTION LIST**  
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CWA Section 401 WQC Program  
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State Water Resources Control Board  
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Joshua Avery  
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[Joshua.Avery.9@us.af.mil](mailto:Joshua.Avery.9@us.af.mil)

Figure 1: Project Location and Vicinity Map

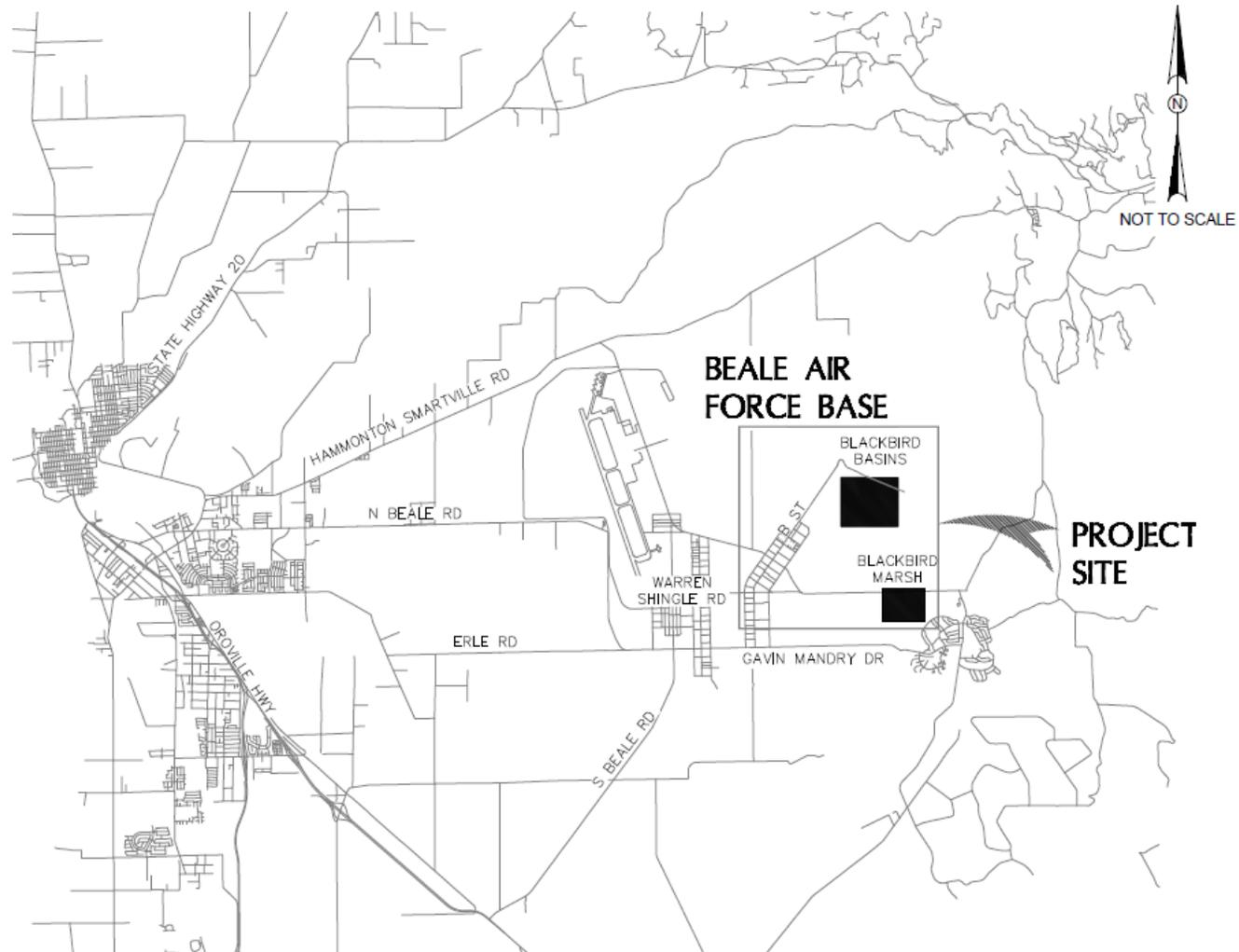


Figure 2: Map of Aquatic Features at Blackbird Basins

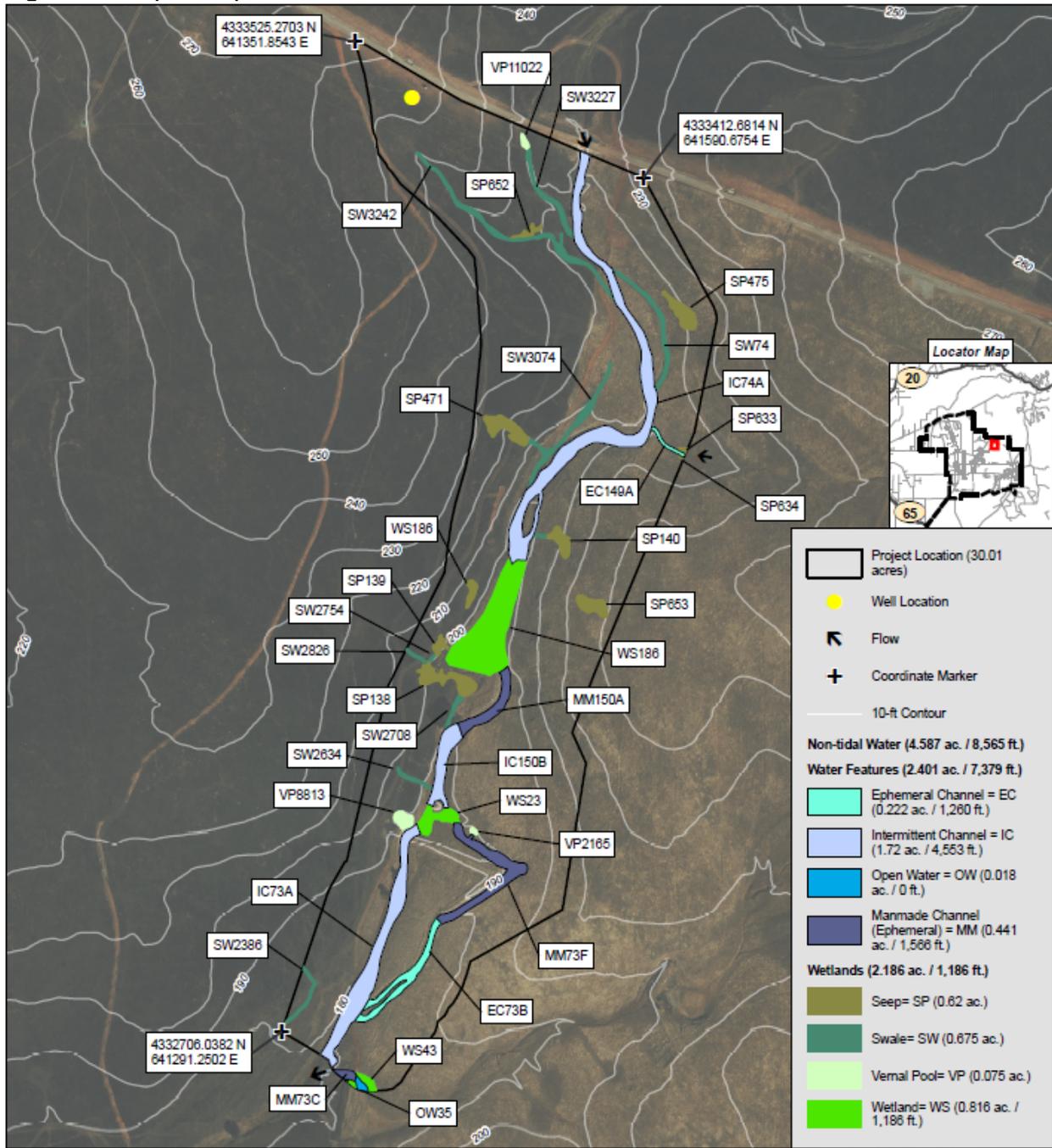


Figure 3: Map of Aquatic Features at Blackbird Marsh

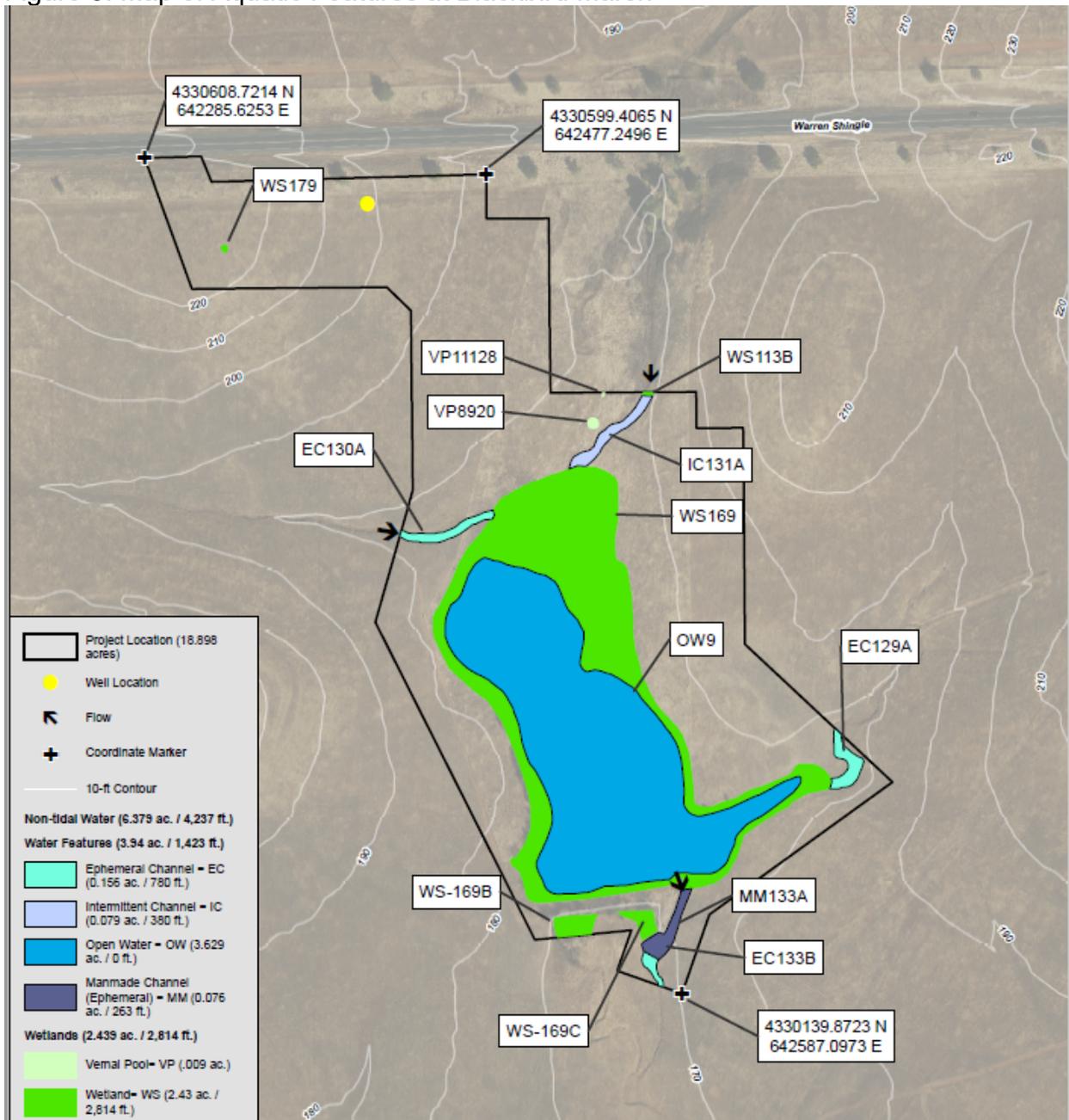


Figure 4: Map of Impacts at Blackbird Basins

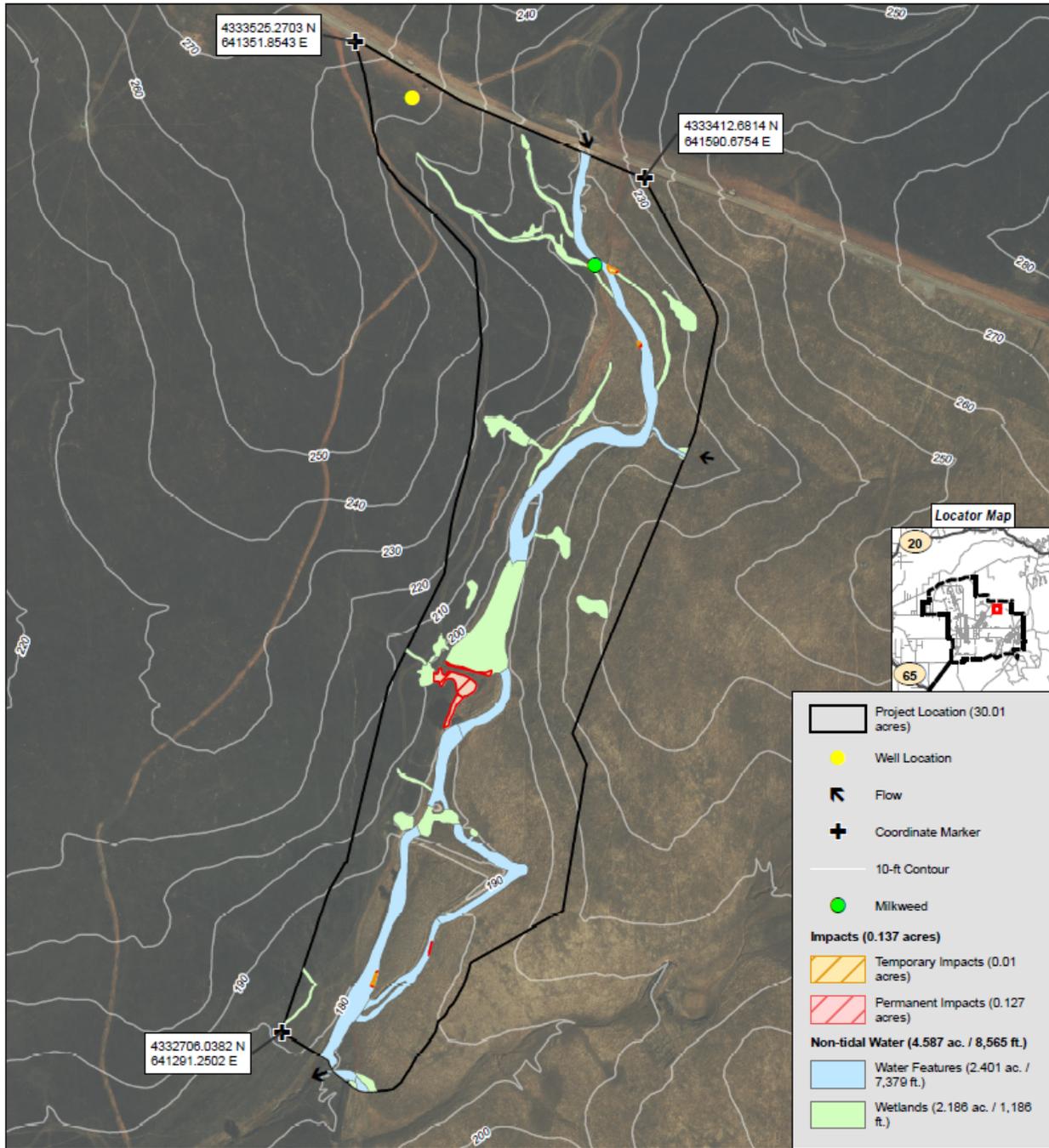


Figure 5: Map of Impacts at Blackbird Marsh

