

State Water Resources Control Board

Public Notice of Application for Water Quality Certification for California Department of Fish and Wildlife 2018¹ Fisheries Habitat Restoration Projects

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: June 10, 2019

Affected County: Humboldt, Marin, Mendocino, Santa Barbara, Siskiyou, 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 letter (June 10, 2019) and ends at 5:00 p.m. on the last day of the comment period (July 1, 2019).** To submit comments, or if you have any questions, please contact the State Water Board staff person listed below.

State Water Resources Control Board Contact:

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¹ The date in the project title refers to the grant cycle year that the projects were selected by the California Department of Fish and Wildlife for funding, not the year in which the Department is applying for water quality certification.

Project Name: 2018 Fisheries Habitat Restoration Projects
(Reg. Meas. ID: 429076 and SWRCB ID: SB19008IN)

Background: On February 25, 2019, the California Department of Fish and Wildlife (CDFW) submitted a complete application for a Clean Water Act section 401 water quality certification for the 2018 Fisheries Habitat Restoration Projects (Project). The project title refers to the grant cycle year that the projects were chosen, not the year of that the application for certification was received. That is, the projects selected for funding during the 2018 grant cycle are being considered for water quality certification in 2019.

Project Description: The purpose of the proposed Project is to restore anadromous fisheries habitat in non-tidal reaches of rivers and streams, improve watershed condition, and improve the survival, growth, migration, and reproduction of anadromous fishes. The Project will (1) improve shelter, spawning gravels, and pool habitat; (2) reduce or eliminate erosion and sedimentation impacts, (3) install and maintain screen diversions; and (4) remove barriers to fish passage. These habitat restoration activities conform to the mandates of the California Legislature in the Fish and Game Code and Public Resources Code.

The proposed Project consists of individual sites in Humboldt, Marin, Mendocino, Santa Barbara, Siskiyou, and Sonoma counties. The Project would include the following restoration or enhancement activity classes: Instream Habitat Improvements, Unanchored Large Woody Debris, Fish Screens, Fish Passage at Stream Crossings, Riparian Habitat Restoration, Upslope Restoration, and Watershed and Stream Bank Stability.

The Project application reports impacts to waters of the state, including waters of the United States, as shown in Table 1 below. Temporarily impacted areas would be restored to pre-project condition or better once the Project is complete. CDFW does not propose any compensatory mitigation for permanent impacts because the Project purpose is restoration and would result in a net increase in quantity and quality of waters of the state. Projected length and area of aquatic resources that will be established, restored, or enhanced are summarized in Table 2, below.

On November 28, 2018, CDFW, acting as lead agency under CEQA, filed a Notice of Determination for the 2018 Fisheries Habitat Restoration Project Mitigated Negative Declaration (State Clearinghouse No. 2018092067).

Table 1: Total Project Fill/Excavation Quantity²									
Aquatic Resource Type	Temporary Impact			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	CY	LF	Acres	CY	LF	Acres	CY	LF
Riparian Zone	3.01		10,126	0.382		798			
Stream Channel	7.75		23,747	1.69		8,433			

² Cubic Yards (CY); Linear Feet (LF)

(footnote continued on next page)

Table 2: Total Ecological Establishment, Restoration, and Enhancement Quantity							
Aquatic Resource Type	Res. ³ Type	Units	Method ⁴				
			Est.	Re-est.	Reh.	Enh.	Pres.
Stream Channel	PR	Acres	0.351	1.623	120.887	30.2972	
Stream Channel	PR	LF	132	855	752,727	54,902	
Riparian Zone	PR	Acres			19.554	3.503	
Riparian Zone	PR	LF			25,124	10,320	

A Certification or Denial will be prepared by the State Water Board for the 2018 Fisheries Habitat Restoration Projects in response to this application.

Applicant: California Department of Fish and Wildlife

Applicant Contact: Timothy Chorey

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Date Complete Application: 2/25/2019

³ Restoration (Res.): permittee responsible (PR)

⁴ Methods: establishment (Est.), reestablishment (Re-est.), rehabilitation (Reh.), enhancement (Enh.), preservation (Pres.).

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

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. The State Water Board will not disclose your name or e-mail information to any outside parties, and will not use this information for any other purpose.