

State Water Resources Control Board

Public Notice of Application for Water Quality Certification for California Department of Fish and Wildlife 2019¹ Fisheries Habitat Restoration Projects

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: February 28, 2020

Affected Counties: Del Norte, Humboldt, Mendocino, and Monterey

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 (February 28, 2020) and ends at 5:00 p.m. on the last day of the comment period (March 20, 2020).** 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:

Brendan Reed, Environmental Scientist
Wetland Permitting and Enforcement Unit, Division of Water Quality
State Water Resources Control Board
1001 I Street, Sacramento, CA 95814
Telephone: 916-341-5462
Email: Brendan.Reed@waterboards.ca.gov

Note: No regulatory decision on the application is implied or intended in this public notice.

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: 2019 Fisheries Habitat Restoration Projects

(Reg. Meas. ID: 436798 and SWRCB ID: SB20006IN)

Background: On February 21, 2020 the California Department of Fish and Wildlife's (CDFW) application for Clean Water Act Section 401 water quality certification was deemed complete for the 2019 Fisheries Habitat Restoration Projects (Project). The date in the Project title refers to the grant cycle year that the projects were chosen by the CDFW, not the year that the application for certification was received. That is, the projects selected for funding during the 2019 grant cycle are being considered for water quality certification in 2020.

Project Description: The primary goal of the proposed Project is to maintain and restore natural watershed and river processes that create habitat characteristics favorable to salmonids. The objective is to enhance the capability of streams to produce wild anadromous salmonids by maintaining, restoring, and improving stream function essential to salmonid production.

The Project consists of individual sites in Del Norte, Humboldt, Mendocino, and Monterey 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. These activities would be implemented in accordance with the California Salmonid Stream Habitat Restoration Manual 4th Edition (available via internet at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=22610&inline>).

The Project application reports impacts to waters of the state, including waters of the United States, as shown in Table 1. Temporarily impacted areas would be restored to pre-project condition or better once the Project is complete. CDFW does not propose any compensatory mitigation since Project activities would result in a net increase in area and quality of waters of the state. Table 2 provides the quantities of restored waters of the state reported in the application.

CDFW, acting as lead agency under the California Environmental Quality Act (CEQA), has prepared and adopted a Mitigated Negative Declaration (MND) for the Project. This MND is available at the following website: <https://wildlife.ca.gov/Grants/FRGP/MND>.

Table 1: Total Project Fill/Excavation Quantity

Aquatic Resource type	Riparian Zone	Stream Channel
Acres of temporary impact	14.93	2.30
Linear feet of temporary impact	31,594	6,104
Acres of permanent physical loss of area	2.64	4.41
Linear feet of permanent physical loss of area	6,107	15,557

Table 2: Total Project Restoration Quantity

Aquatic Resource type	Riparian Zone	Stream Channel
Acres of Enhancement (Uplift targeting a specific function)	1.96	24.62
Linear feet of Enhancement	46995	63,171
Acres of Reestablishment (Recreation where resource previously existed)	0	0.6
Linear Feet of Reestablishment	0	800
Acres of Rehabilitation (Restoring to natural/historic state)	30.05	14.54
Linear feet of Rehabilitation	46,995	40,592

A Certification or Denial will be prepared by the State Water Board for the 2019 Fisheries Habitat Restoration Projects in response to this application.

Applicant: California Department of Fish and Wildlife

Applicant Contact: Timothy Chorey

Telephone: (916) 376-8638

Email: Timothy.Chorey@wildlife.ca.gov

Date Application Deemed Complete: February 21, 2020

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.