

State Water Resources Control Board

Public Notice of Application for Water Quality Certification for California Department Fish and Wildlife 2020 Fisheries Habitat Restoration Projects

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program
Date Posted: February 26, 2021

Affected Counties: Humboldt, Mendocino, 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 (February 26, 2021) and ends at 5:00 p.m. on the last day of the comment period (March 19, 2021).** 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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Note: No regulatory decision on the application is implied or intended in this public notice.

Project Name: 2020 Fisheries Habitat Restoration Projects

(Reg. Meas. ID: 442334 and SWRCB ID: SB21003IN)

Background: On February 16, 2021 the California Department of Fish and Wildlife (CDFW) submitted an application for Clean Water Act Section 401 water quality certification for the 2020 Fisheries Habitat Restoration Projects (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 2020 grant cycle are being considered for water quality certification in 2021.

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

The Project would consist of 19 individual project sites that occur in various streams and watersheds in the northern California counties of Humboldt, Mendocino, Siskiyou, and Sonoma (Figure 1). 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 online 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 once the Project is complete. Table 2 provides the quantities of restored waters of the state reported in the application. The 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.

The CDFW, acting as lead agency under the California Environmental Quality Act (CEQA) adopted a Mitigated Negative Declaration (MND) for the Project on November 16, 2020. This MND is available at the following website: <https://wildlife.ca.gov/Grants/FRGP/MND>

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

Aquatic Resource type	Riparian Zone	Stream Channel
Acres of temporary impact	18.87	4.07
Linear feet of temporary impact	51,839	30,438
Acres of permanent physical loss of area	2.55	12.35
Linear feet of permanent physical loss of area	8,083	21,986

Table 2: Reported Total Project Restoration¹ of Waters of the State

Aquatic Resource type	Riparian Zone	Stream Channel
Acres of restoration	30.408	1,360.977
Linear feet of restoration	72,642	911,278

A Certification or Denial will be prepared by the State Water Board for the 2020 Fisheries Habitat Restoration Projects in response to this application.

Applicant: California Department of Fish and Wildlife

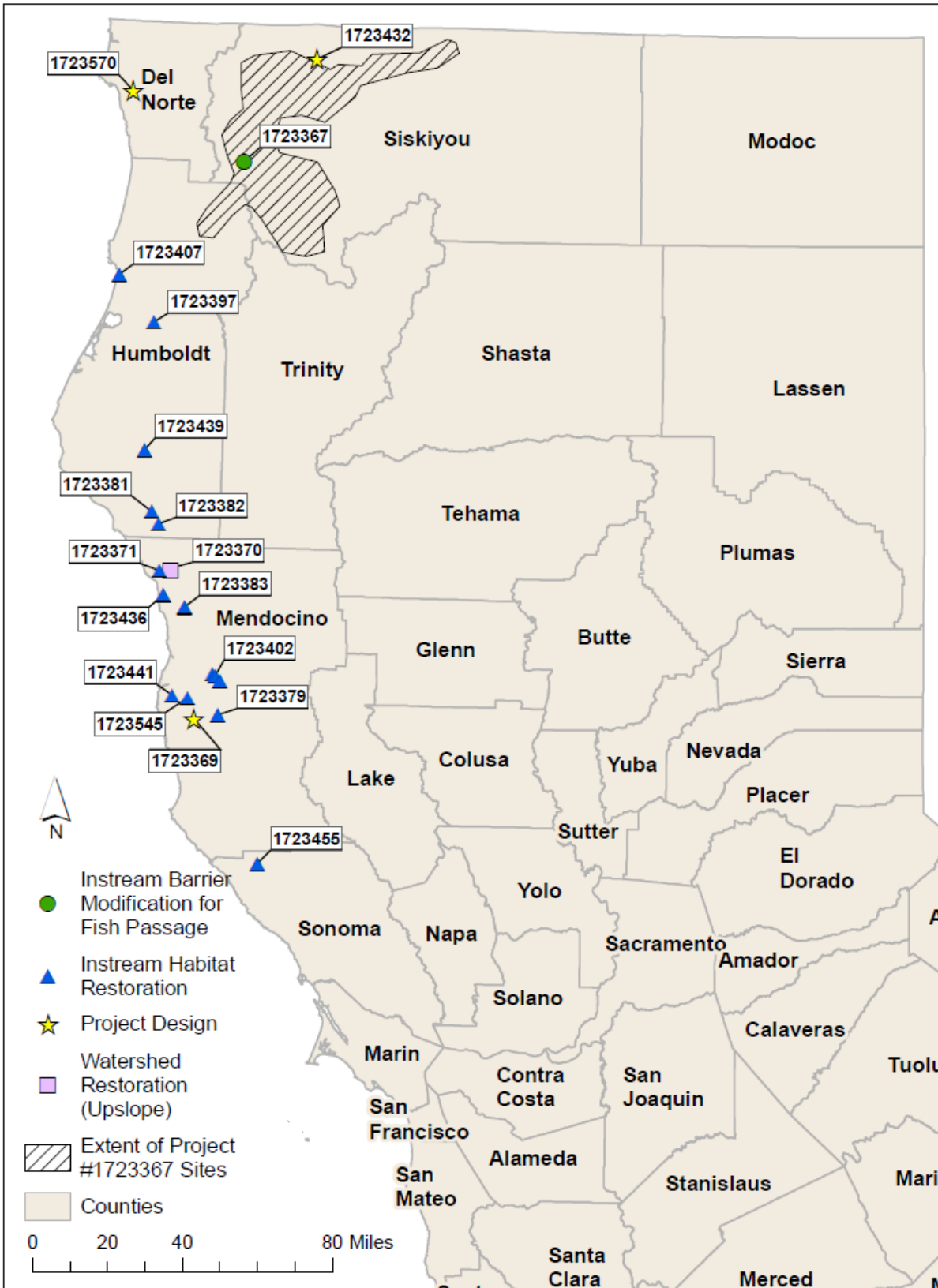
Applicant Contact: Timothy Chorey

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Email: Timothy.Chorey@wildlife.ca.gov

Date of Application Submittal: February 16, 2021

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



Department of Fish and Wildlife. Watershed Restoration Grants Branch. R. Spell, 20210112

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

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.