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## Central Valley Regional Water Quality Control Board

20 December 2022

William Vanderwaal  
Reclamation District No. 108  
975 Wilson Bend Road  
Grimes, CA 95950

**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 RECLAMATION DISTRICT NO.108, MARKET STREET GRAVEL INJECTION AND RIFFLE PROJECT, SHASTA COUNTY, WDID NO. 5A45CR00628**

On 16 December 2022, Reclamation District No. 108 (Permittee) submitted a Notice of Intent (NOI) requesting coverage under the 27 March 2012 State Water Resources Control Board (State Water 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 Market Street Gravel Injection and Riffle Project (Project). After review of the NOI and the supplemental material 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 is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the General Certification Order is enclosed. The General Certification Order may also be accessed on the [State Water Resources Control Board's Clean Water Act Section 401 - Certification and Wetlands Program Web Page](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders_wb.shtml) ([http://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalorders\\_wb.shtml](http://www.waterboards.ca.gov/water_issues/programs/cwa401/generalorders_wb.shtml)).

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. Coverage under the General Certification Order is no longer valid if the Project, as described, is modified.

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

## **I. Public Notice**

The Central Valley Water Board provided public notice of the application from 16 December 2022 to 6 January 2023.

## **II. Project Description**

The purpose of the project is to improve spawning conditions through the placement of spawning gravel and the creation of riffles in the Sacramento River at the project location. The components proposed as part of this project are described below.

### **A. Cobble Removal**

Adjacent to the bank, an approximately 2-foot area of larger cobble will be removed for construction of riffle cores and replaced with spawning gravel to create additional areas for spawning.

### **B. Temporary Berm**

A temporary berm of spawning gravel will be placed around the project area to slow water velocity and to manage any turbidity resulting from the work. The berm will be repurposed as spawning gravel augmentation at this site.

### **C. Spawning Gravel**

Approximately 2,000 CY of existing riverbed will be excavated and utilized for riffle bars or the temporary berms. Up to 5,500 CY of spawning gravel will be imported from a commercial source to create the spawning habitat and temporary berms. All material will be utilized on site, with no excess material hauled offsite.

### **D. Equipment**

The work will be performed by excavators, bull dozers, loaders and off-road trucks working in the water. Construction will be completed during a defined in-water work window as coordinated with the involved fisheries agencies, which is expected to be between 3 January and 15 March 2023, followed by a similar project 2 to 3 years later. The work is expected to take approximately 4 weeks to complete.

### **E. Construction Access and Site Access**

The construction site is located on Anderson Cottonwood Irrigation District (A.C.I.D.) property. Staging will be done on the A.C.I.D. property. The project will access the site utilizing the existing A.C.I.D. driveway. There is no current land based public access, and none will be provided at the project conclusion.

## **III. Description of Direct Impacts to Waters of the State**

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition. Project impact and receiving waters

information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity is shown in Table 2 of Attachment B.

**Table 1: Total Project Fill/Excavation Quantity for Temporary Impacts<sup>1</sup>**

<b>Aquatic Resources Type</b>	<b>Acres</b>	<b>Cubic Yards</b>	<b>Linear Feet</b>
Stream Channel	2.8	6000	490

**IV. Project Schedule**

The Project is estimated to be conducted over twenty-four workdays. The expected seasonal work period will be between 1 November and 15 January.

**V. Project Location**

Address: The Project is located in Shasta County on State Land, on the Sacramento River immediately downstream of the Market Street Bridge and the ACID diversion structure.

County: Shasta County

Nearest City: City of Redding

Section 25, Township 32 North, Range 5 West, MDB&M.

Latitude: 40.592° and Longitude: -122.391°

Maps showing the Project location are found in Attachment A of this Notice of Applicability.

**VI. California Environmental Quality Act (CEQA)**

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.

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<sup>1</sup> 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.

## VII. Fees Received – Not Applicable

Federal applicants applying for a 401 certification for a dredge or fill project subject to section 404 of the Clean Water Act are not charged fees as identified in 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 small habitat restoration project. Your waste discharge identification (WDID) number is 5A45CR00628.

## IX. Reporting

A Notice of Completion (NOC) shall be submitted by the applicant 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 applicant's Notice of Intent.

Failure to comply with the terms and conditions of Order No. SB12006GN may expose Reclamation District No. 108 to enforcement action pursuant to the Clean Water Act and California Water Code.

If you require further assistance, please contact me by phone at (530) 224-4848 or by email at [Daniel.Warner@waterboards.ca.gov](mailto:Daniel.Warner@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](mailto:Lynn.Coster@waterboards.ca.gov).

Original signed by Bryan J. Smith, P.E.  
(for) Patrick Pulupa, Executive Officer  
Central Valley Regional Water Quality Control Board

12/20/2022  
Date

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

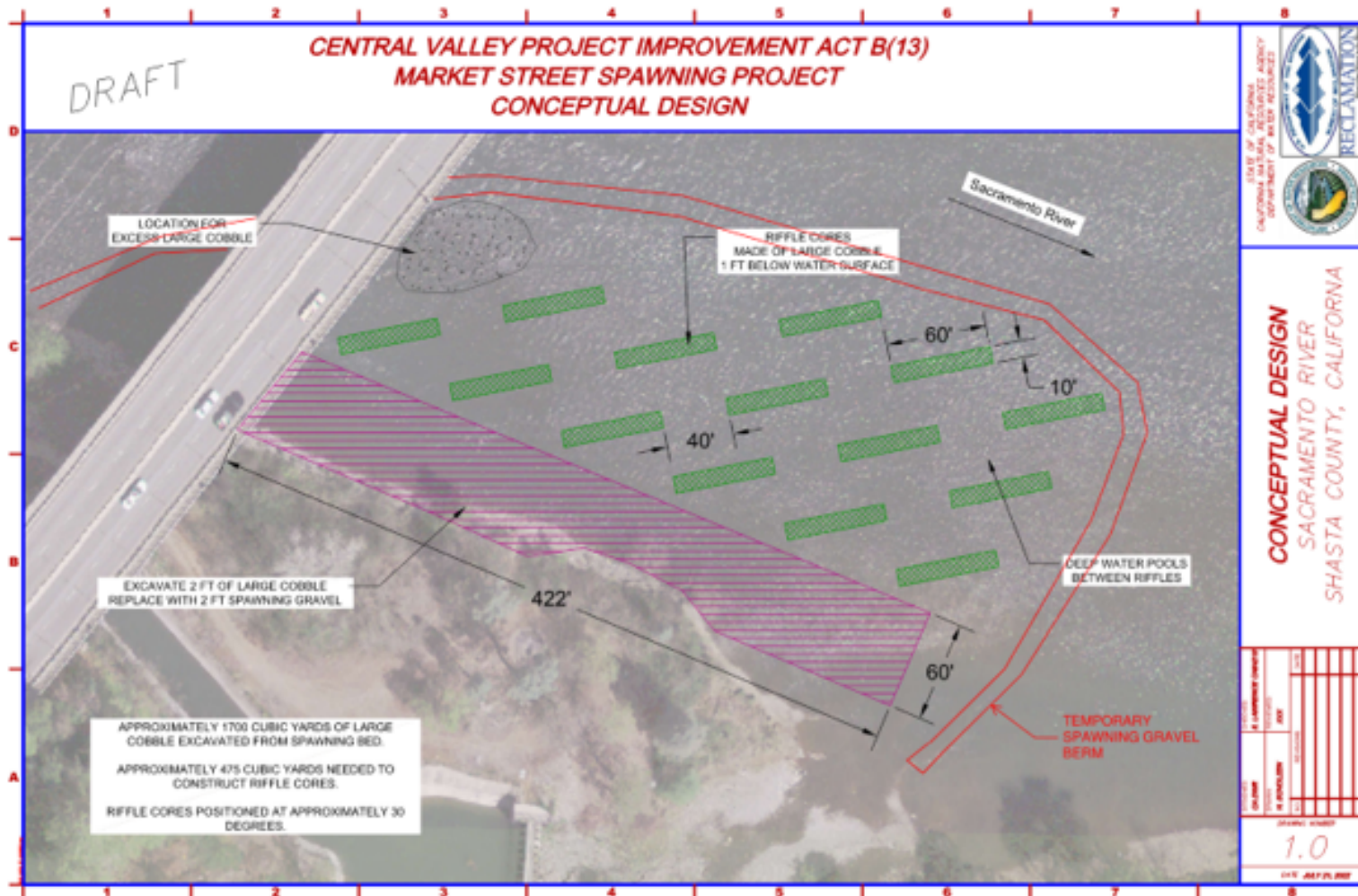
Enclosure: Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects File No. SB12006GN (Applicant Only)

cc email: U.S. EPA, Region 9, San Francisco  
Water Quality Certification Program, SWRCB, Sacramento  
Hillary Regnart, U.S. Army Corps of Engineers, Redding

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Figure 2: Project Location and Impact Map



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**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**

Non-Federal Waters	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
No	Market Street Gravel Injection and Riffle Project	Sacramento River	Stream	508.10	Sacramento River (Shasta Dam to Colusa Basin Drain)	MUN, AGR, IND, POW, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD, NAV	Toxicity	Not Applicable

**Individual Direct Impact Locations**

The following tables show individual impacts.

**Table 2: Individual Temporary Fill/Excavation Impact Information**

Impact Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation?	Acres	Cubic Yards	Linear Feet
Market Street Gravel Injection and Riffle Project	40.592°	-122.391°	No	2.8	6000	490

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### **Attachment C – CEQA Findings of Fact**

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 15601.

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.)