
Lahontan Regional Water Quality Control Board

July 30, 2015

Irene Davidson, Carson District Ranger
Humboldt-Toiyabe National Forest
1536 S. Carson Street
Carson City, NV 89701

Tina Bartlett, Regional Manager, North Central Region
California Department of Fish and Wildlife
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

BOARD ORDER NO. R6T-2015-0046, CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION FOR U.S. FOREST SERVICE, HUMBOLDT-TOIYABE NATIONAL FOREST, CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE HOPE VALLEY MEADOW RESTORATION PROJECT, ALPINE COUNTY, WDID 6A021506001

The California Regional Water Quality Control Board, Lahontan Region (Water Board), received a complete Clean Water Act Section 401 Water Quality Certification (WQC) application and application filing fee on July 23, 2015 for the Hope Valley Meadow Restoration Project (Project) in Alpine County. American Rivers provided the application on behalf of the two land owners with the Project, U.S. Forest Service (USFS), and California Department of Fish and Wildlife (CDFW) (Applicants). This Order for WQC hereby assigns this Project the following reference number: Waste Discharge Identification (WDID) No. **6A021506001**. Please use this reference number in all future correspondence regarding this Project.

Any person aggrieved by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

PROJECT DESCRIPTION

Table of Project Information:

WDID Number	6A021506001	
Applicants	Irene Davidson Carson District Ranger Humboldt-Toiyabe National Forest 1536 S. Carson Street Carson City, NV 89701	Tina Bartlett CA Department of Fish and Wildlife 1701 Nimbus Road, Suite A Rancho Cordova, CA 95670
Agent	Julie Fair American Rivers 120 Union Street Nevada City, CA 95959	
Project Name	Hope Valley Meadow Restoration Project	
Project Purpose and Description	The purpose of the Project is to restore approximately 6,933 linear feet of river channel on the West Fork of the Carson River in Hope Valley (6,802 feet on USFS land and 130 feet on CDFW land). Restoration activities include stabilizing stream banks using: (a) vegetative techniques (primarily willow planting using live stakes, live pole bundles, trench packs, and fascines), (b) stream bank toe stabilization using sod blocks excavated from meadow surface and placed near the toe of the eroding bank on an excavated bench, (c) floodplain benches at two of the most severely eroding banks on the outside meander bends (lowering the floodplain by excavating underlying soils and replacing with vegetation and sod layers previously removed), (d) cutoff protection (hard armoring) at one meander bend to ensure channel stays in the tight meander bend rather than shortening the channel length by cutting off the bend, (e) headcut protection using biomechanical application such as willow packing, pole drains, or fascines to stabilize and arrest small headcuts, (f) gravel bar stabilization and standing water depressions using revegetation techniques, and (g) log crib-wall bank stabilization using a log/rootwad revetment structure to stabilize approximately 130 linear feet of severely eroding bank on the CDFW land.	
Project Type	Dredge/Fill	
Project County	Alpine	
Project Address or other Locating Information	Hope Valley adjacent to Highway 88 and Blue Lakes Road, southwest of the intersection of Highways 88 and 89.	
Location Latitude/Longitude	Latitude: 38.748856, Longitude:-119.932588 38.732385 -119.929162 38.776708 -119.933355	
Hydrologic Unit	633.20	
Overall Project Area	430 acres; 4.1 acres of construction disturbance	

Table of Project Information (cont.):

Receiving Water(s) Name	West Fork Carson River			
Water BodyType(s)	Surface Water			
Designated Beneficial Uses	MUN, AGR, IND, GWR, REC-1, REC-2, COMM, COLD, WILD, and SPWN			
Potential Water Quality Impacts	Discharge of sediments and suspended solids during dredge and fill activities related to the river and meadow restoration Project.			
Area of Water(s) within the Overall Project Area	46 Acres (20,173 linear feet), of which 26 acres are wetlands			
Impacts of Fill to Waters of the State, including Waters of the U.S. (WOUS)	Total Ecological Restoration and Enhancement Quantity for Temporary Impacts (CIWQS mitigation/restoration table side B)			
	Aquatic Resource Type	Unit	Enhanced	Restored
	Stream	Acres		
	Channel	Linear Feet	740	6,193
	Wetland	Acres	2.45	0.864
Federal Permit(s)	The Applicants have applied for U.S. Army Corps of Engineers (USACE) authorization to proceed under a Nationwide Permit 27, pursuant to Clean Water Act section 404.			
Non-Compensatory Mitigation	Project implementation during low flow; use of coffer dams and gravity flow pipes to divert river flow from work area; salvaging and transplanting sod; working from tops of bank and limiting in-river work within treatment areas; designing access routes to minimize and avoid wet meadow areas where feasible; seeding disturbed areas with native seed; and removal, stockpiling, and replanting vegetation. Sediment and erosion control best management practices, and revegetation upon Project completion will also be used.			
Compensatory Mitigation	None. The Project purpose is habitat enhancement.			
Application Fee	\$200			
Fees Received	\$200			

CEQA COMPLIANCE

The Water Board has determined that this Project is exempt from the California Environmental Quality Act (Public Resources Code section 21000 et seq.). In accordance with section 15333, the basis for CEQA exemption is “Small Habitat Restoration Projects.” A Notice of Exemption will be filed with the State Clearinghouse concurrently with issuing this Order.

SECTION 401 WATER QUALITY CERTIFICATION

Authority

Section 401 of the CWA (33 U.S.C., paragraph 1341) requires that any applicant for a CWA section 404 permit, who plans to conduct any activity that may result in discharge of dredged or fill materials to waters of the United States, must provide to the permitting agency a certification that the discharge will be in compliance with applicable water quality standards of the state in which the discharge will originate. No section 404 permit may be granted (or valid) until such certification is obtained. The Applicant submitted a complete application and the fees required for WQC under section 401 for the Project. The Applicants have applied for USACE authorization to proceed under Nationwide Permit No. 27 pursuant to CWA section 404.

California Code of Regulations (CCR) title 23, section 3831(e) grants the Water Board Executive Officer the authority to grant or deny WQC for Projects in accordance with CWA section 401. The Project qualifies for such WQC.

Standard Conditions

Pursuant to CCR title 23, section 3860, the following standard conditions are requirements of this WQC:

1. This WQC is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to California Water Code section 13330 and CCR title 23, section 3867.
2. This WQC is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license unless the pertinent certification application was filed pursuant to CCR title 23, section 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action must be conditioned upon total payment of the full fee required under CCR title 23, section 3833, unless otherwise stated in writing by the certifying agency.
4. Neither Project construction activities nor operation of the Project may cause a violation of the Water Quality Control Plan for the Lahontan Region (Basin Plan), may cause a condition or threatened condition of pollution or nuisance, or cause any other violation of the California Water Code.
5. The Project must be constructed and operated in accordance with the Project described in the application for WQC that was submitted to the Water Board. Deviation from the Project description constitutes a violation of the conditions upon which the WQC was granted. Any significant changes to this Project that

would have a significant or material effect on the findings, conclusions, or conditions of this WQC, including Project operation, must be submitted to the Executive Officer for prior review and written approval.

6. This WQC is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this WQC and civil or criminal liability.
7. The Water Board may add to or modify the conditions of this WQC as appropriate to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act, or as appropriate to coordinate the operations of this Project with other projects where coordination of operations is reasonably necessary to achieve water quality standards or protect the beneficial uses of water. Notwithstanding any more specific conditions in this WQC, the Project must be constructed and operated in a manner consistent with all water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
8. This WQC does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under the California Endangered Species Act (Fish and Game Code sections 2050 et seq.) or the federal Endangered Species Act (16 U.S.C. sections 1531 et seq.). If a "take" will result from any act authorized under this WQC, the applicant must obtain authorization for the take prior to construction or operation of the Project. The Applicants are responsible for meeting all applicable requirements of the Endangered Species Act for the Project authorized under this WQC.

Additional Conditions

Pursuant to CCR title 23, section 3859(a), the following additional conditions are requirements of this WQC:

1. Debris, cement, concrete (or wash water therefrom), oil or petroleum products must not be allowed to enter into or be placed where it may be washed from the Project site by rainfall or runoff into waters of the state. When operations are completed, any excess material must be removed from the Project work area and any areas adjacent to the work area where such material may be transported into waters of the state.
2. The Applicants must ensure that the Contractor employs necessary measures to prevent the introduction or spread of noxious/invasive weeds within the Project and staging areas. These measures may include the treatment of onsite infestations, the cleaning of all equipment and gear that has been in an infested site, the use of

weed-free erosion control materials (including straw), and the use of weed-free seeds and plant material for revegetation of disturbed areas.

3. Construction equipment must be monitored for leaks, and removed from service if necessary to protect water quality.
4. An emergency spill kit must be at the Project site at all times.
5. By **December 15, 2015**, the Applicants must provide to this office documentation that demonstrates the Project has been constructed pursuant to the plans reviewed by this office, including but not limited to, the following: an as-built report that includes as-built design drawings, before and after photographs from photo-points for each type of treatment, turbidity results collected during construction, and transects or other methods that will be used to evaluate revegetation and river channel habitat restoration success efforts. Also, a description of any problems encountered or variances from the approved design should be described.
6. By **December 15, 2016** and **December 15, 2017**, the Applicants must provide annual follow-up reports describing each of the treatment types and successes and/or problems at each of the locations treated. Photographs from the same photo-points required above must also be provided.
7. The Applicants must prevent water quality degradation on site during and following construction, and must ensure that all pollutant source controls and soil stabilization procedures are in place and effective prior to rainfall events and/or prior to winter shutdown, and that they will remain effective through the events or winter shutdown period.
8. Turbidity must be monitored (either visually or using a hand-held turbidity meter) daily upstream and downstream of the Project during construction activities and results must be submitted to the Water Board weekly during construction and one week following completion of any construction activities.
9. In the event of a significant thunderstorm, necessary measures must be taken to ensure passage of storm water flow through the Project area without discharging excessive sediment to the river.
10. Wetland areas near Project and staging areas that, according to the application, will be avoided must be protected by colored construction fencing or equivalent barriers.
11. Water Board staff must be notified 48 hours prior to commencement of ground disturbance.
12. The Applicants must maintain a copy of this WQC at the Project site so as to be available during construction to site operating personnel and agencies.

13. The Applicants must immediately notify Water Board staff by telephone whenever an adverse condition occurs as a result of this discharge. Such a condition includes, but is not limited to, a violation of the conditions of this WQC, a significant spill of petroleum products or toxic chemicals, or damage to control facilities that would cause noncompliance. Pursuant to CWC section 13267(b), a written notification of the adverse condition must be provided to the Water Board within two weeks of occurrence. The written notification must identify the adverse condition, describe the actions necessary to remedy the condition, and specify a timetable, subject to any modifications by Water Board staff, for the remedial actions.
14. A qualified professional with experience in hydrology and wetland restoration must monitor the construction of the Project. Any additional work or variation from the described work, which may result in additional or increased impacts to waters of the state (including quantity or quality of water or habitat) or reduce the amount of wetland or floodplain created, is not authorized unless approved in writing by the Executive Officer prior to implementation.
15. The Applicants must permit Water Board staff or its authorized representative upon presentation of credentials:
 - a) Entry onto Project premises, including all areas on which wetland fill or wetland mitigation is located or in which records are kept.
 - b) Access to copy any record required to be kept under the terms and conditions of this WQC.
 - c) Inspection of any treatment equipment, monitoring equipment, or monitoring method required by this WQC.
 - d) Sampling of any discharge or surface water covered by this WQC.

Enforcement

1. In the event of any violation or threatened violation of the conditions of this WQC, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of CWA, section 401(d), the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this WQC.
2. In response to a suspected violation of any condition of this WQC, the State Water Board or Water Board may require the holder of any permit or license subject to this WQC to furnish, under penalty of perjury, any technical or monitoring report the State Water Board or Water Board deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
3. In response to any violation of the conditions of this WQC, the Water Board may add to or modify the conditions of this WQC as appropriate to ensure compliance.

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION GRANTED

I hereby issue this Order certifying that any discharge from the referenced Project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of state law. This discharge is also regulated under State Water Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this WQC.

Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the Applicant's Project description and the terms specified in this WQC Order and (b) compliance with all applicable requirements of the Basin Plan.

If you have any questions or comments regarding this permit, please contact Tobi Tyler, Water Resources Control Engineer, at tobi.tyler@waterboards.ca.gov (530-542-5435) or Alan Miller, Chief, North Basin Regulatory Unit, at alan.miller@waterboards.ca.gov (530-542-5430).

Electronic document submittal is required. Please send your comments or documents to the Water Board's email address at Lahontan@waterboards.ca.gov and include your WDID No. and Facility Name in the Subject Line.

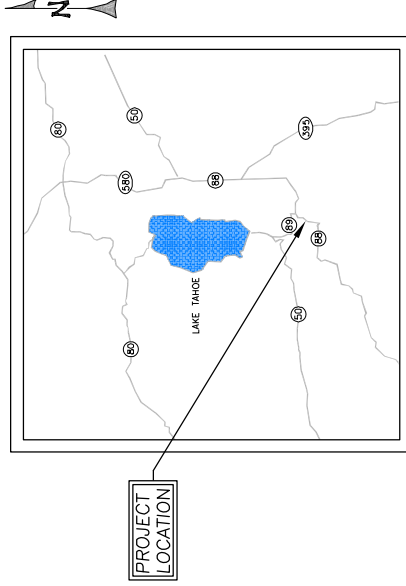
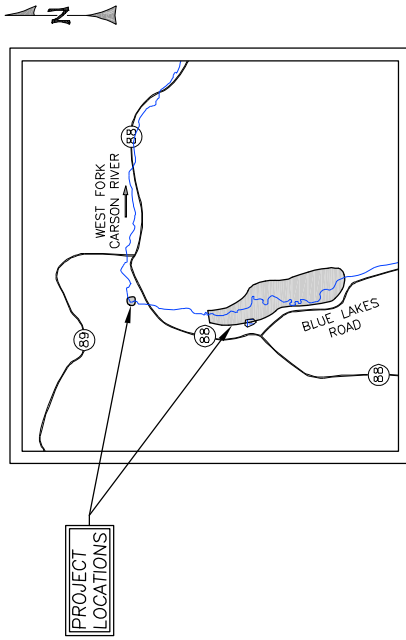


for PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

Enclosure: Project Site Plan

cc: Julie Fair, American Rivers
William Somer, California Department of Fish and Wildlife
John Dvorsky, Waterways Consulting
Kathy Norton, U.S. Army Corps of Engineers, Sacramento District
Bill Orme, State Water Resources Control Board, Division of Water Quality
Jennifer Garcia, California Dept. of Fish and Game, Region 2
Jason Brush, Wetlands Regulatory Office (WTR-8), US EPA, Region 9

HOPE VALLEY MEADOW RESTORATION PROJECT 100% DESIGN SUBMITTAL



PROJECT DESCRIPTION
THIS SHEET PROVIDES THE 100% DESIGN DETAILS FOR PROPOSED MEADOW RESTORATION ACTIONS WITHIN THE HOPE VALLEY MEADOW RESTORATION PROJECT AREA. THE WORK DESCRIBED HEREIN GENERALLY CONSISTS OF EROSION CONTROL, VEGETATION INSTALLATION OF LOGS AND ROCK, AND PLANTING OF NATIVE VEGETATION.

- SHEET INDEX**
- C1 COVER SHEET
 - C2 ACCESS
 - C3 CUTOFF PROTECTION PLAN (1 OF 2)
 - C4 CUTOFF PROTECTION PLAN (2 OF 2)
 - C5 EROSION CONTROL
 - C6 TYPICAL SECTIONS
 - C7 BENCH EXCAVATION, SITE PLAN
 - C8 VEGETATION DETAILS
 - C9 TYPICAL HEADGUT REPAIR PLAN
 - C10 REVEGETATION DETAILS
 - C11 VEGETATION PLANTING PLAN
 - C12 SOIL DISPOSAL PLAN, STAGING, AND EROSION CONTROL DETAILS
 - C13 CDPW BANK STABILIZATION OVERVIEW AND ACCESS PLAN
 - C14 CDPW BANK STABILIZATION DETAILS
 - C15 CDPW BANK STABILIZATION DETAILS
 - C16 GENERAL NOTES

- ABBREVIATIONS**
- D.A. DIAMETER
 - E.G. EXISTING GROUND
 - ELEV. ELEVATION
 - FC FINISHED GRADE
 - N NEW
 - N.C. NOT TO SCALE
 - N.C.S. ON CENTER
 - O.C. ON CENTER
 - SPK STRIKE
 - T TYPICAL
 - WSE WATER SURFACE ELEVATION
 - YR YEAR

SECTION AND DETAIL CONVENTION
SECTION OR DETAIL IDENTIFICATION (NUMBER OR LETTER)
SECTION OR DETAIL IS SHOWN.
REFERENCE SHEET FROM WHICH DETAIL OR SECTION IS TAKEN.

GRADING SUMMARY

TYPE	VOLUME (CUBIC YARDS)
EXCAVATION	4,080
FILL (SOIL DISPOSAL AREA)	3,070
IMPORTED ROCK	945

THE ABOVE QUANTITIES ARE APPROXIMATE IN-PLACE VOLUMES CALCULATED AS THE DIFFERENCE BETWEEN EXISTING AND PROPOSED FINISH GRADES. THIS DOES NOT TAKE INTO ACCOUNT SETBACKS OR OTHER PURPOSES ONLY. EXISTING GROUND IS DEFINED BY THE TOPOGRAPHIC CONTOURS AND/OR SPOT ELEVATIONS ON THE PLAN. PROPOSED FINISH GRADE IS DEFINED AS THE DESIGN GRADE. THIS SUMMARY DOES NOT TAKE INTO ACCOUNT ALLOWANCES FOR BULKING, SHRINKAGE, OR SUBSISTENCE. THIS SUMMARY DOES NOT TAKE INTO ACCOUNT ALLOWANCES FOR BULKING, CLEARING AND GRUBBING, SHRINKAGE, OR SUBSISTENCE. THIS SUMMARY DOES NOT TAKE INTO ACCOUNT ALLOWANCES FOR BULKING, CLEARING AND GRUBBING, SHRINKAGE, OR SUBSISTENCE. THIS SUMMARY DOES NOT TAKE INTO ACCOUNT ALLOWANCES FOR BULKING, CLEARING AND GRUBBING, SHRINKAGE, OR SUBSISTENCE.

WATERWAYS CONSULTING INC.
4038 SMIT ST
SANTA CRUZ, CA 95060
TEL: (831) 21-9291 FAX: (831) 21-9847
WWW.WATERWAYS.COM

DATE: _____

 MATT W. MEIND
 PROFESSIONAL ENGINEER
 LICENSE NO. 82225
 STATE OF CALIFORNIA
 CIVIL ENGINEERING

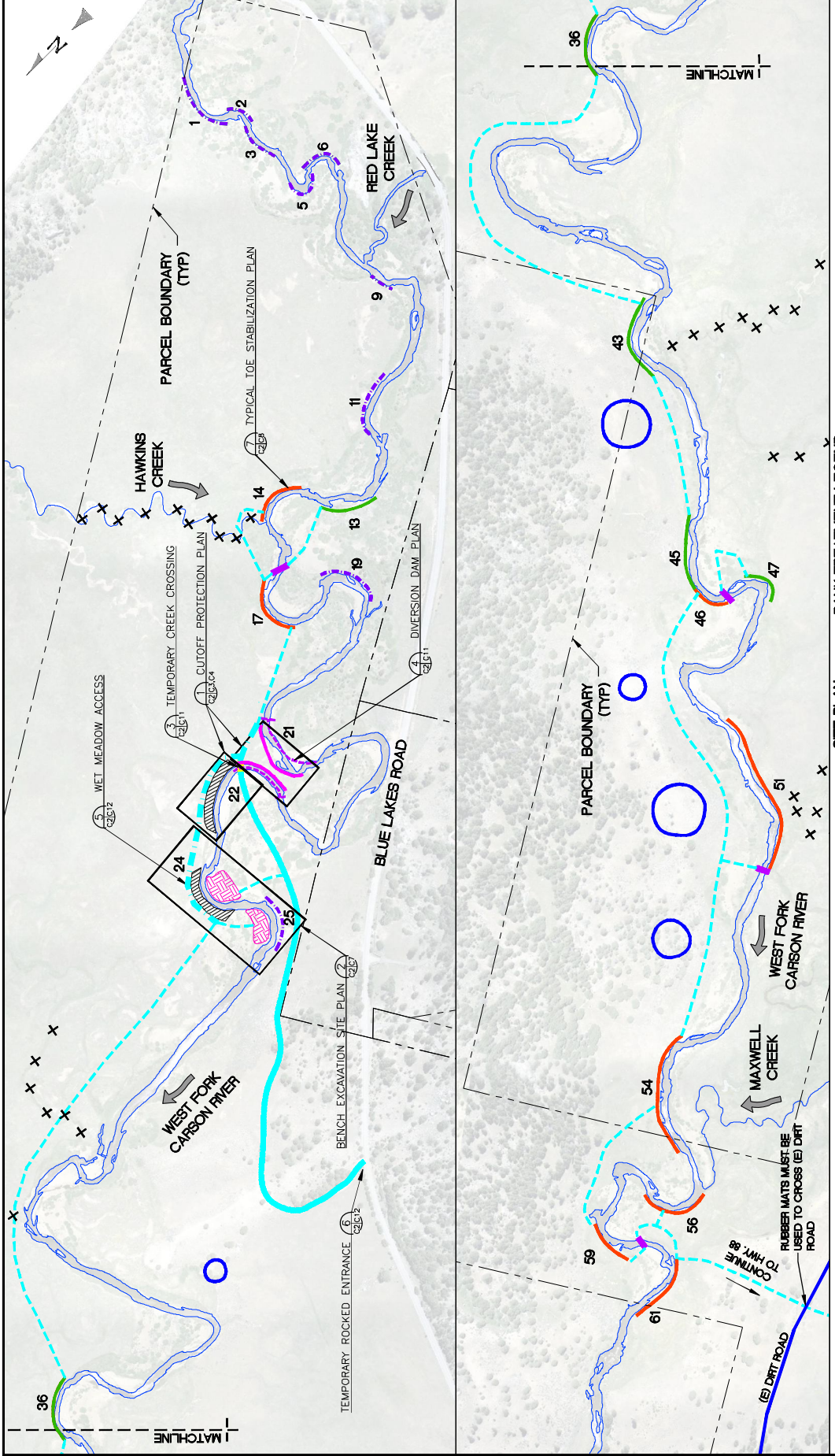
PREPARED AT THE REQUEST OF
AMERICAN RIVERS, INC.
 AND
PLACER COUNTY RESOURCE CONSERVATION DISTRICT

COVER SHEET

HOPE VALLEY MEADOW RESTORATION PROJECT
 100% SUBMITTAL

DESIGNED BY: MW
 CHECKED BY: BZ
 DATE: 7-22-15
 JOB NO.: 15-015
 DRAWING NO.: 15-015-01
 SCALE: AS SHOWN
 ADJUST SCALES FOR ORIGINAL DRAWING.
 REVISIONS:
 0

C1 1 OF 16



SITE ACCESS LEGEND

- Single-pass with low ground pressure equipment, supported by ATVs
- Multiple passes with loaded trucks (upland)
- Multiple passes with loaded trucks (wet meadow conditions)
- Diversion dam and pipe
- Constructed temporary crossing
- Single-pass stream crossing (unimproved)

BANK TREATMENT LEGEND

- Demonstration bench excavation area
- Demonstration bar revegetation area
- Bank treatment area I.D. number
- Existing avoidance area provided by others (approx.)

SITE PLAN SCALE: 1"=200'

BANK TREATMENT LEGEND

- Toe stabilization (high priority)
- Toe stabilization (low priority)
- Cutoff protection treatment
- Bank revegetation only (NC)
- Bank revegetation only (MC)
- Headcut repair locations (MC)

24

Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044
1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: California Regional Water Quality
Control Board, Lahontan Region
2501 Lake Tahoe Blvd.
South lake Tahoe, California 96150

Project Title: Hope Valley Meadow Restoration Project

Project Location – Specific:

Blue Lakes Road and Highway 88, west of Markleeville, CA, Latitude: 38.74888; Longitude: -119.9326

Project Location – City: Markleeville (nearest)

Project Location - County: Alpine

Description of Project: The Project will restore approximately 6,803 feet of the West Fork of the Carson River using a variety of restoration techniques including stabilizing stream banks, excavating an inset floodplain, stabilizing a meander bend, stabilizing headcuts on tributary channels, and vegetation techniques.

Name of Public Agency Approving Project: California Regional Water Quality Control Board, Lahontan Region

Name of Person or Agency Carrying Out Project: Irene Davidson, Carson District Ranger, Humboldt-Toiyabe National Forest, and Tina Bartlett, Regional Manager, California Department of Fish and Wildlife

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15333, Small Habitat Restoration Projects.
- Statutory Exemptions. State code number:

Reasons why project is exempt:

The CRWQCB, Lahontan Region finds that this project, as permitted, involves less than five acres of construction work and will not have a significant effect on the environment. The project, therefore, meets the criteria for being exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15333.

Responsible Agency Contact Person: Tobi Tyler

Area Code/Telephone/Extension: **(530) 542-5435**

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

for 

Signature: PATTY KOUYOUMDJIAN Date: 7-30-2015 Title: Executive Officer, Lahontan Region

Signed by Responsible Agency

Signed by Applicant

Date received for filing at

OPR: _____