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MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

19 September 2016

Mr. Todd Sloat
Pit Resource Conservation District
P.O. Box 301
Bieber, CA 96009

CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; PIT RESOURCE CONSERVATION DISTRICT, LOWER BUTTE CREEK MEADOW RESTORATION PROJECT (WDID#5A25CR00053), MODOC AND LASSEN COUNTIES

This Order responds to the 28 July 2016 application submitted by Pit Resource Conservation District (Applicant) for the Water Quality Certification of a routine sediment basin maintenance project permanently impacting 4,062 cubic yards of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers Nationwide Permit #27 under Section 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of the California Code of Regulations (CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR section 3855(b) of the California Code of Regulations, 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 shall be conditioned upon total payment of the full fee required under section 3833 of the California Code of Regulations.
4. This Certification is no longer valid if the project (as described) is modified, or coverage under Section 404 of the Clean Water Act has expired.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Water Board shall be signed by a person described below or by a duly authorized representative of that person.
 - a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if *authority* to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
 - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition No. 5 shall make the following certification, whether written or implied:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person, or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

NOTIFICATIONS AND REPORTS:

1. The Applicant shall notify the Central Valley Water Board within 7 days of the project completion.
2. The Applicant shall provide the Central Valley Water Board Contact indicated in this Certification a Notice of Completion (NOC) no later than 30 days after the Project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project description in the Certification and in any amendments approved. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation
3. The Applicant shall submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleyredding@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID number as shown in the subject line above. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

19 September 2016

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

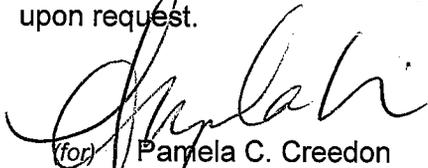
Guy F. Chételat, P.G., Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, gchetelat@waterboards.ca.gov, (530) 224-4997

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the Applicant, Pit Resource Conservation District, Lower Butte Creek Meadow Restoration Project (WDID# 5A25CR00053) will comply with the applicable provisions of Section 301 ("Effluent Limitations"), Section 302 ("Water Quality Related Effluent Limitations"), Section 303 ("Water Quality Standards and Implementation Plans"), Section 306 ("National Standards of Performance"), and Section 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017-DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)."

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 compliance with conditions of this Certification, the Applicant's application package, and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition, revised April 2016 (Basin Plan)*.

Any person aggrieved by this action may petition the State Water Quality Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Quality Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Quality Control 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.


(for) Pamela C. Creedon
Executive Officer

GC:reb

cc: Mr. Matt Kelly, U.S. Army Corp of Engineers, Redding
Department of Fish and Wildlife, Redding
U.S. Fish and Wildlife Service, Sacramento
Mr. Bill Jennings, CALSPA, Stockton

cc by
email: Mr. Bill Orme, SWRCB, Certification Unit, Sacramento
U.S. EPA, Region 9, San Francisco

PROJECT INFORMATION

Application Date: 28 July 2016

Application Deemed Complete: 12 September 2016

Applicant: Mr. Todd Sloat
Pit Resource Conservation District
P.O. Box 301
Bieber, CA 96009

Project Name: Lower Butte Creek Meadow Restoration Project

Application Number: WDID No. 5A25CR00053

Type of Project: Ecological Aquatic/Stream/Habitat Restoration

Project Location: Latitude: 41°11'02"N and Longitude: 120°56'21" W

County: Modoc and Lassen Counties

Receiving Water(s) (hydrologic unit): Butte Creek, which is tributary to Pit River. Pit River Hydrologic Unit, Bieber Hydrologic Study Area, Hydrologic unit number 526.61

Water Body Type: Streambed and wet meadow

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin, Fourth Edition, revised April 2016* (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Butte Creek is the receiving water for the Lower Butte Creek Meadow Restoration Project. This project does not impact an already impaired water body. The most recent list of approved water quality limited segments is found at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

Project Description (purpose/goal): The Lower Butte Creek Meadow Restoration Project will address existing channel degradation and enlargement that has generated problematic bank erosion, excessive sediment discharge, and loss of flood plain connectivity. The project will use pond and plug techniques, riffle augmentation and grade control augmentation to reconnect Butte Creek with its floodplain while reducing problematic channel erosion. Expected benefits of the project are: reduced sediment discharge, reduced bank erosion, improved floodplain

function, improved hydrograph (floodwaters can spill onto floodplain), and improved channel and wet meadow habitat.

Preliminary Water Quality Concerns: Construction activities including soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation and may impact surface waters with increased turbidity, settleable matter, temperature, pH and dissolved oxygen.

Proposed Mitigation to Address Concerns: The Applicant will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. The Applicant will conduct turbidity, settleable matter, temperature, pH, and dissolved oxygen testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: 3 acres, or 1500 linear feet.

Dredge Volume: Approximately 9,700 cy of soil, 55 cy of rock and 650 cy of native sod will be salvaged and replanted on the project site.

California Integrated Water Quality System Impact Data: The Project will permanently impact approximately 1500 linear feet (less than 3 acres) of degraded and enlarged stream channel through change to wet meadow.

Table 2: Impacts from Dredging Activities

Aquatic Resource Type	Temporary			Permanent					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet
Stream Channel	--	--	--	3	--	1500	--	--	--

Notes
 NA Not Applicable

U.S. Army Corps of Engineers Permit Number: Pending

United States Army Corps of Engineers Permit Type: Nationwide Permit #27, restoration activities.

Department of Fish and Wildlife Lake or Streambed Alteration Agreement: Pending. Application submitted.

Possible Listed Species: Not Applicable due to late season implementation schedule.

Status of CEQA Compliance: Pit Resource Conservation District and Modoc and Lassen Counties issued a CEQA Categorical exemption (section 15333) for the project on 13 July 2016.

Compensatory Mitigation: The Central Valley Water Board is not requesting compensatory mitigation for the Project.

Application Fee Provided: An application fee of \$200.00 was submitted on 28 July 2016. A total fee of \$200.00 has been submitted to the Central Valley Water Board as required by section 3833(b)(3)(A) and section 2200(a)(3) of the California Code of Regulations.