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SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

19 September 2016

Mr. John Hannon
US Bureau of Reclamation
801 I Street, Suite 140
Sacramento, CA 95814

CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; UPPER SACRAMENTO RIVER ANADROMOUS FISH HABITAT RESTORATION – NORTH CYPRESS (WDID#5A45CR00486b), REDDING, SHASTA COUNTY

This Order responds to the 5 August 2015 application submitted by US Bureau of Reclamation (Applicant) for the Water Quality Certification of anadromous fish habitat restoration projects on the Sacramento River in Redding.

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 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 This Certification is no longer valid if the project (as described) is modified, or coverage under Section 404 of the Clean Water Act has expired.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.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

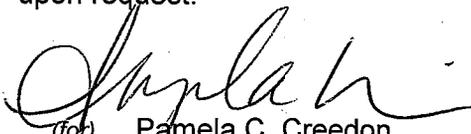
Guy F. Chételat, P.G., Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, gchetelat@waterboards.ca.gov, (530) 224-4997

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the Applicant, US Bureau of Reclamation, Upper Sacramento River Anadromous Fish Habitat Restoration – North Cypress Project (WDID# 5A45CR00486b) 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: 5 August 2015

Application Deemed Complete: 12 September 2016

Applicant: Mr. John Hannon
US Bureau of Reclamation
801 I Street, Suite 140
Sacramento, CA 95814

Project Name: Upper Sacramento River Anadromous Fish Habitat Restoration – North Cypress Project

Application Number: WDID No. 5A25CR00486b

Type of Project: Ecological Aquatic/Stream/Habitat Restoration

Project Location: The project site is located on the Sacramento River in Redding upstream (north) of Cypress Street Bridge. Latitude: 40°35'24" and Longitude: -122°22'12"

County: Shasta County

Receiving Water(s) (hydrologic unit): Sacramento River. Redding Hydrologic Unit-Enterprise Flat Hydrologic Area No. 508.10

Water Body Type: Streambed and floodplain wetlands

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: Sacramento River (Keswick Dam to Cottonwood Creek). 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 Upper Sacramento River Anadromous Fish Restoration – North Cypress Street Bridge site consists of restoring, enhancing, and protecting aquatic and riparian habitat suitability to facilitate increases in the overall anadromous fish production of the Upper Sacramento River. The restoration and rehabilitation of spawning and rearing habitat for anadromous fish in the Upper Sacramento River is a high priority for federal and state resource agencies. The proposed activities include a continuation of ongoing

anadromous fish restoration activities authorized under the Central Valley Project Improvement Act of 1992 Section 3406(b)(13) and will improve spawning and rearing habitat for anadromous fish.

The Bureau of Reclamation proposes to excavate and link existing high-water channels to enhance spawning and juvenile rearing habitat adjacent to the main channel of the Sacramento River. The excavation will allow flow through of cold water to benefit salmonids. In-stream work will be done at lower river flows (<10,000 cfs) and during time periods to minimize effects on listed species. All work with heavy equipment will be confined to timing windows to avoid impacts to fish and wildlife.

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, dissolved oxygen and leaks from equipment.

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.

Equipment used in wetted channel areas must use non-toxic hydraulic fluids. Equipment must be monitored for leaks and related best management practices followed with spill response materials located on site. Best management practices will be used to contain sediment to the work areas. This may include sediment curtains at the North Cypress Bridge site. Introduction of flow through water to the work area shall be done in a manner to minimize sediment discharge and comply with conditions regarding turbidity and settleable solids.

Fill/Excavation Area: Project implementation will temporarily impact 4 acres of high water channel located in the 100 year floodplain.

Dredge Volume: Approximately 12,000 cubic yards of sediment will be excavated from secondary side channel.

California Integrated Water Quality System Impact Data: Impacts are expected to be temporary and the project will increase wetland area.

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	4	--	--	--	--	--	--	--	--

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: Not applicable per CDFW decision.

Possible Listed Species: Chinook salmon (winter run and spring run), Elderberry. Special status species will be avoided through scheduling and exclusion.

Status of CEQA Compliance: The proposed project is exempt from California Environmental Quality Act (CEQA) pursuant to the Governor's Declaration of Emergency Proclamation No. 1-17-2014: #14; Executive Proclamation of State of Emergency – 25 April 2014, #s 6, 7, 8 and 19 (CEQA exemption); Executive Order B36-15:#'s 1 & 6 (Continuation and expansion for drought response projects); from 28 December 2015 letter by Stafford Lehr (California Department of Fish and Wildlife) regarding these projects. The project addresses aquatic habitat degradation exacerbated by drought. CEQA Notice of Exemption was issued by Central Valley Regional Water Quality Control Board 14 January 2016.

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

Application Fee Provided: No fee required because applicant is a federal agency.