

CONSOLIDATED FINAL RESTORATION PROJECTS STATEWIDE ORDER
PROGRAM ENVIRONMENTAL IMPACT REPORT
CHAPTER 2 BACKGROUND AND DESCRIPTION OF THE ORDER
2.3 GEOGRAPHIC SCOPE

2.2.2 Objectives

The objective of the Order is to help expedite statewide implementation of restoration projects to improve the environment and make the regulatory process efficient by interpreting state standards in a uniform manner to ensure that applicable projects are consistent with federal and state water quality laws.

2.3 Geographic Scope

The Order considers a variety of types of aquatic, riparian, wetland, and floodplain restoration projects that may take place throughout California. The State Water Board protects water quality by setting statewide policy and coordinating and supporting the Regional Boards' efforts. Nine Regional Boards conduct rulemaking and regulatory activities by basin and issue water quality control plans (basin plans). Because the Order is administered and used primarily by the Regional Boards, the study area is defined as the nine water quality control regions (**Figure 2-1**).

2.3.1 Region 1—North Coast

The North Coast Regional Board's jurisdiction encompasses watersheds draining to the Pacific Ocean from California's northern border to the southerly boundaries of the Estero de San Antonio and Stemple Creek watersheds. This region includes all of Del Norte, Humboldt, Trinity, and Mendocino Counties, and portions of Siskiyou, Modoc, Glenn, Lake, Sonoma, and Marin Counties. Major bodies of water in this region include the Smith, Klamath, Trinity, Eel, Mattole, and Russian Rivers, and Humboldt Bay.

2.3.2 Region 2—San Francisco

The San Francisco Bay Regional Board's jurisdiction encompasses watersheds draining to the Pacific Ocean from Tomales Bay in the north to Pescadero Creek in the south, excluding watersheds that drain to either the Sacramento River or the San Joaquin River. This region includes all of San Francisco County and portions of Marin, Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo, and Santa Cruz Counties. The dominant feature of this region is the San Francisco Bay estuary, which conveys the waters of the Sacramento and San Joaquin Rivers into the Pacific Ocean. Other major tributaries to the San Francisco Bay estuary include the following watersheds: Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara Basin, Solano, and Sonoma. This region also includes coastal portions of Marin and San Mateo Counties.

2.3.3 Region 3—Central Coast

The Central Coast Regional Board's jurisdiction encompasses watersheds draining to the Pacific Ocean from Pescadero Creek south to the southeasterly boundary of the Rincon Creek watershed. This region includes all of Santa Cruz and Monterey Counties and portions of San Mateo, Santa Clara, San Benito, San Luis Obispo, Santa Barbara, Kern, and Ventura Counties. Major bodies of water in this region include the Pajaro and Salinas Rivers, and Morro and Monterey Bays.

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Figure 2-1 Study Area



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2.4 NUMBER AND LOCATION OF ANTICIPATED PROJECTS

2.3.9 Region 9—San Diego

The San Diego Regional Board’s jurisdiction encompasses all watersheds that drain to the Pacific Ocean from the southern border of the Santa Ana Regional Board’s jurisdictional limits to the southern border of California. This region includes portions of San Diego, Riverside, and Orange Counties. Major water bodies in this region include the San Juan, Santa Margarita, San Luis Rey, Carlsbad, San Dieguito, Peñasquitos, San Diego, Pueblo San Diego, Sweet Water, Otay, and Tijuana Rivers and San Diego and Oceanside Harbor bays.

2.4 Number and Location of Anticipated Projects

The number of restoration projects that would be implemented each year under the Order is influenced by factors such as available funding, project proponents’ interest in and capacity to submit qualified project applications, project permitting, and construction scheduling. Numerous potential funding sources exist for projects that could use the Order.

The Order could be used by proponents that agree to carry out their projects in conformance with the project-appropriate standards specified later in this chapter and in the associated appendices (Section 2.8, *Programmatic Sideboards, General Protection Measures, and Other Requirements*).

2.5 Authorizations and/or Permits that May Be Required for Restoration Projects

Participants must obtain any other necessary permits or authorizations from appropriate agencies before the start of a project. Any revisions made to a project as part of a permit or authorization process after submittal of a Notice of Intent (NOI) under the Order would be reviewed by the State Water Board or the applicable Regional Board before final approval. Table 2-1 summarizes other permits and authorizations that may be required.

**Table 2-1
Processes, Permits, and Authorizations that May Be Required
for Approval of Restoration Projects**

Resource	Applicable Laws/Regulations/Permits	Regulating Agency
Multiple	CEQA and NEPA	Public and federal agencies
Wetlands and other waters	Section 404 of the Clean Water Act—individual or general permit	USACE
	Section 10 of the Rivers and Harbors Act—individual or general permit	USACE
	Section 402 of the Clean Water Act—National Pollutant Discharge Elimination System permit(s)	State Water Board and Regional Board

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Table 2-1

**Processes, Permits, and Authorizations that May Be Required
for Approval of Restoration Projects**

NOTES: Caltrans = California Department of Transportation; CCR = California Code of Regulations; CDFW = California Department of Fish and Wildlife; CEQA = California Environmental Quality Act; CFR = Code of Federal Regulations; CVFPB = Central Valley Flood Protection Board; NEPA = National Environmental Policy Act; NMFS = National Marine Fisheries Service; NOAA RC = National Oceanic and Atmospheric Administration Fisheries Restoration Center; Porter-Cologne Act = Porter-Cologne Water Quality Control Act; Regional Board = Regional Water Quality Control Board; SHPO = State Historic Preservation Officer; State Water Board = State Water Resources Control Board; USACE = U.S. Army Corps of Engineers; USFWS = U.S. Fish and Wildlife Service

2.6 Categories of Restoration Projects in the Order

The Order addresses restoration practices that require Section 401 water quality certification and/or waste discharge requirements. Sections 2.6.1 through 2.6.10 below present detailed descriptions of the categories of restoration project types eligible for enrollment under the Order. Each project category discussion briefly summarizes the project purpose, describes different activities and/or subproject types, and summarizes typical construction activities associated with projects falling into that category. Section 2.7 describes typical construction activities and methods in greater detail.

During the Order enrollment process, the approving Water Boards will determine whether an individual restoration project is eligible for enrollment under the Order. (Section 1.1, *Introduction and Overview of the Order*, for the Order's definition of a restoration project.) All projects permitted under the Order must also incorporate applicable general protection measures into their project design to ensure avoidance and minimization of impacts on sensitive resources.

Species protection measures have been included in this PEIR which include avoidance and/or minimization measures developed specifically to address individual covered species or covered species guilds, based upon unique life history and habitat requirements. Further, design guidelines have been developed to help project proponents ensure that projects are designed, during the development of their individual projects, in a manner that is appropriate and sustainable, minimizes adverse effects on aquatic habitats, maximizes the ecological benefits of the restoration, and is consistent with multiple permitting agency regulatory practices (e.g., CDFW, NMFS, USFWS). A list of general protection measures can be found in Section 2.8.2, *General Protection Measures*, and Appendix E. A list of species protection measures can be found in Section 2.10, *Species Protection Measures*, and Appendix F. See Appendix E for a detailed description of design guidelines.

2.6.1 Improvements to Stream Crossings and Fish Passage

Improvements to stream crossings and fish passage, including fish screens, provide a number of ecological benefits. For example, they provide safe passage for migratory

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structures. Examples of bioengineering project types include revetment² consisting of trees, native plant materials, or willow walls, and willow siltation baffles, brush mattresses, brush check dams, and brush bundles. Bioengineered project types may also include the placement of buried riprap³ with soil and vegetation plantings on top.

Bioengineered bank stabilization techniques use a minimal amount of hard materials (e.g., rock) and are not intended to include traditional hard engineering techniques, which would not be permitted under the Order. Part XI, *Riparian Habitat Restoration*, of the CDFW *California Salmonid Stream Habitat Restoration Manual (Flosi et al. 2010: Vol. II)* identifies examples of techniques that would be permitted under the Order.

Bioengineered bank stabilization structures are suitable for many low-order, low-gradient stream segments where the channel is not aggrading⁴ or degrading⁵ rapidly, and where sufficient space is available to reshape the eroding bank to an appropriate slope. The Order would not cover projects that merely protect property from bank erosion; however, many restoration project types, including multi-benefit projects that include bioengineered bank stabilization, would be eligible for coverage under the Order.

The use of boulders should be limited in scope and quantity to the minimum necessary to stabilize the slope and protect it from expected streamflows during storms. Boulder structures should be part of a larger restoration design with the primary purpose of improving habitat, and should include a riparian revegetation element. Bridge abutments and other structural improvements installed as part of the restoration design of fish passage projects may require additional stabilization with boulder and rock banks.

Guidelines for streambank stabilization techniques are described in Part VII, *Project Implementation*, of the CDFW *Riparian Habitat Restoration Manual (Flosi et al. 2010: Vol. I or subsequent updates)*.

Projects in this category may require the use of heavy equipment (e.g., self-propelled logging yarders, excavators, backhoes, and/or dump trucks).

2.6.4 Restoration and Enhancement of Off-Channel and Side-Channel Habitat

Restoring and enhancing off-channel and side-channel habitat features helps to improve aquatic and riparian habitat for fish and wildlife. Restoration project types in this category have the following benefits:

- ◆ Increase habitat diversity and complexity
- ◆ Improve heterogeneity (e.g., nonuniform character) of flows
- ◆ Provide long-term nutrient storage and substrate for aquatic macroinvertebrates
- ◆ Moderate flow disturbances

² Revetments are sloping structures placed on banks or cliffs in such a way as to absorb the energy of incoming water.

³ Riprap is placed rock or other material used to armor shorelines and streambeds against scour and water, wave erosion.

⁴ A stream becoming increasingly shallow as a result of sediment deposition.

⁵ A stream actively deepening its channel and capable of transporting more sediment load than is presently provided.

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- ◆ Increase retention of leaf litter
- ◆ Provide refuge for fish during high flows

Projects proposed for side-channel or off-channel habitat also typically improve hydrologic connections between main channels and their floodplains.

This project category typically involves reconnecting and creating side-channel, alcove, oxbow, pond, off-channel, floodplain, and other habitats, and potentially removing off-channel fill and plugs. New side channels and alcoves may be constructed in geomorphic settings that accommodate such features. This activity category typically applies to areas where side channels, alcoves, and other backwater habitats have been filled or blocked from the main channel, disconnecting them from most if not all flow events.

Work may involve removing or breaching levees, berms, and dikes; excavating channels; constructing wooden or rock tailwater⁶ control structures; and constructing large wood habitat features.

The use of logs or boulders as stationary water-level control structures is an eligible project element under the Order. With the exception of offstream storage projects to reduce low-flow stream diversions, projects involving the permanent installation of a flashboard dam, head gate, or other mechanical structure are not eligible for coverage under the Order.

Excavators, bulldozers, dump trucks, front-end loaders, and similar equipment may be used to implement projects.

2.6.5 Water Conservation

Creation, operation, and maintenance of water conservation projects, including offstream storage tanks and ponds and associated off-channel infrastructure, reduce low-flow stream diversions and enhance streamflows, particularly base flows for fish and wildlife habitat during the dry season. These projects typically require placing infrastructure (e.g., pumps, piping, screens, and headgates) in or adjacent to the stream to provide alternative water intake facilities. Exclusion fencing may be constructed to manage grazing in aquatic and riparian habitat as described in Section 2.6.10, *Establishment, Restoration, and Enhancement of Stream and Riparian Habitat and Upslope Watershed Sites*.

Other projects in this category include piping ditches to create a more efficient use of water where the water saved will be dedicated to fish and wildlife under the terms of California Water Code Section 1707 or forbearance agreements. These projects are designed to improve streamflow and riparian habitat for fish and wildlife. Excavators and other heavy equipment may be used to implement the projects.

⁶ Water body located downstream of a dam or other barrier.

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2.6.6 Floodplain Restoration

Project types in this category improve the diversity and complexity of aquatic, meadow, and riparian habitat, as well as ecosystem function, because they have the following effects:

- ◆ Provide opportunities for sediment to deposit on the floodplain seasonally, which enhances meadow vegetation, use by birds and mammals, and fish rearing and spawning; and also provide refuge from predators and physical stressors.
- ◆ Create intermittent hydrologic connections between streams and floodplains.
- ◆ Increase floodway capacity and the frequency and duration of floodway inundation.
- ◆ Improve ecosystem functions for aquatic and terrestrial species and also improve water quality.
- ◆ Reconnect stream channels to floodplains, thus improving the fluvial dynamics of the watershed system; for example, by allowing normal patterns of sediment deposition and transport, as well as channel migration.
- ◆ Reduce or eliminate areas that strand native fish or provide habitat for nonnative predatory fish, or both.
- ◆ Provide high-flow and thermal refuges for native fish and other aquatic species.

Floodplains should mimic natural flooding patterns and remain flooded/inundated long enough to activate food webs. Floodplain restoration can involve rock placement, specifically as engineered stream material, riffle ramps, weirs, and other strategies to aggrade the channel and enable connectivity to floodplains.

Floodplain restoration projects may be implemented through various strategies. Some involve setback, breaching, and removal of levees, berms, and dikes, and excavation and/or fill for hydraulic reconnection (including restoration to stage zero⁷) and revegetation.

Levee setback projects involve constructing new levees to facilitate removal or breaching of existing levees and creation of aquatic or riparian habitat. This project type may also include filling and/or reshaping of on- and off-channel gravel pits. Levees may be adjusted or a low levee bench may be created to allow for tidal inundation or channel margin habitat.

Floodplain projects may also reconnect historical stream and river channels and freshwater deltas with floodplains, and reconnecting historical estuaries to tidal influence, through levee removal, setback, and breaching or construction of floodplain surfaces that connect at base flow. Floodplain restoration projects may be planned where floodplains and estuaries have been disconnected from adjacent streams and rivers.

⁷ Streams that are fully connected with their floodplains; typically multi-thread.

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amphibians, fish, and other species. This project type also includes road- and trail-related restoration including decommissioning, upgrading, and storm-proofing of roads and trails. The following are some of the specific techniques that may be used:

- ◆ Removing, installing, or upgrading culverts
- ◆ Constructing water bars⁸ and dips
- ◆ Deep-ripping decommissioned roadbeds
- ◆ Reshaping road prisms to improve watershed functions
- ◆ Vegetating fill, cut slopes, and roadbeds
- ◆ Removing and stabilizing sidecast materials
- ◆ Grading or resurfacing roads and trails that have been improved for aquatic restoration, using gravel, bark chips, or other permeable materials
- ◆ Shaping the contours of the road or trail base
- ◆ Removing road fill to native soils
- ◆ Installing new culverts under trails or roads to reduce ditch length
- ◆ Stabilizing the soil and tilling compacted soils to establish native vegetation

These actions target priority roads and trails that contribute sediment to streams or disrupt floodplain and riparian functions.

This project type may also include installing exclusion fencing to manage or prevent grazing access to stream and riparian areas to facilitate the establishment of native riparian and stream habitat and the improvement of water quality. This project type includes controlled access to walkways that livestock use to cross streams and adjacent riparian areas. At stream crossings, gravel may be placed above the ordinary high-water mark within the fenced corridor to reduce trail erosion and delivery of sediment to the stream. Upland watering facilities (that do not involve water rights concerns) may be installed to reduce livestock use in riparian areas and stream channels. Planting native plants such as trees, shrubs, forbs, and graminoids may be necessary to manage invasive species and establish a healthy riparian corridor. Such projects reduce impacts of livestock on riparian soils and vegetation, streambanks, channel substrates, and water quality.

Equipment such as excavators, bulldozers, dump trucks, and front-end loaders may be used to implement these projects, which promote water quality and habitat improvement.

2.7 Typical Construction, Operation, and Maintenance Activities and Methods

The Order does not promote construction or operation and maintenance of specific facilities or other specific physical actions by the State Water Board. The State Water Board also does not propose to construct, operate, or undertake specific physical actions. Rather, the Order is designed to permit the actions of project proponents that

⁸ A water bar or interceptor dike is a road construction feature that is used to prevent erosion on sloping roads, cleared paths through woodland (for utility companies such as electricity pylons), or other accessways by reducing flow length.

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2.7.2 Constructed Facilities (Natural and Artificial Infrastructure) and Operations and Maintenance of those Facilities

Construction of the project types permitted under the Order would disturb natural conditions or infrastructure. The following maintenance and monitoring activities may be necessary to support successful establishment of natural conditions:

- ◆ Mechanical and chemical weed control
- ◆ Control of invasive and other nonnative species, including predatory (e.g., nonnative bass) and nuisance species (e.g., nutria)
- ◆ Replanting and reseeding
- ◆ Installation of fencing and signage
- ◆ Adjustments to grading or soils composition
- ◆ Installation and operation of monitoring equipment, including fish counters, flow gauges, depth gauges, cameras, stakes, and similar equipment
- ◆ Maintenance and repair of instream structures installed to improve or manage habitat or hydrologic function (e.g., grade control structures, beaver dam analogs, boulder clusters)

Operations and maintenance necessary to support the functionality of constructed infrastructure may include maintenance and cleaning of fish screens, removal of debris and sediment from stream crossings, and maintenance and operation of fishways.

2.8 Programmatic Sideboards, General Protection Measures, and Other Requirements

To qualify for coverage under the Order, projects must meet the appropriate programmatic sideboards, general protection measures, and other conditions described in Sections 2.8.1 through 2.8.4. Section 2.8.5 identifies activities that are prohibited under the Order. Section 2.9 identifies design guidelines that have been developed to help project proponents ensure that the projects are designed in a manner that is appropriate and sustainable, minimizes adverse effects on aquatic resources, maximizes the ecological benefits of the restoration and is consistent with multiple permitting agency regulatory practices (e.g., CDFW, NMFS, USFWS).

2.8.1 Programmatic Sideboards

Individual restoration projects authorized through the Order should be designed, planned, and implemented in a manner that is consistent with the techniques and minimization measures presented in the following guidance documents or manuals, as appropriate to project type:

- ◆ CDFW's *California Salmonid Stream Habitat Restoration Manual*, Fourth Edition, Volume II (Flosi et al. 2010), which consists of the following four chapters:
 - Part IX, *Fish Passage Evaluation at Stream Crossings*

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- Part X, *Upslope Assessment and Restoration Practices*
- Part XI, *Riparian Habitat Restoration*
- Part XII, *Fish Passage Design and Implementation*
- ◆ *CDFW Fisheries Restoration Grant Program guidance documents*
(<http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=183423>)
- ◆ *NMFS Guidelines for Salmonid Passage at Stream Crossings* (NMFS 2001)
- ◆ *NMFS Fish Screening Criteria for Anadromous Salmonids* (NMFS 1997)
- ◆ NMFS Science based tools for evaluating stream engineering, management, and restoration proposals (Skidmore et al. 2011)
- ◆ *Stream Habitat Restoration Guidelines* (Cramer 2012)
- ◆ Any relevant future updates, guidance, and/or agency requirements, where appropriate

Actions not guided by the above guidance documents or manuals that may be eligible for permitting under the Order include newer, innovative approaches to restoration design that are not yet in the guidance documents or manuals but have demonstrated success. Examples include fishway operation and maintenance, and permanent removal of summer dams and other types of small dams.

The Order requires that all projects implement appropriate general protection measures to reduce the potential for ancillary effects on sensitive resources, including effects on water quality, sensitive habitats, special-status species, and other riparian and aquatic species. These required measures are described in Section 2.8.2, *General Protection Measures*. Project activities (or project types) and related project-specific protection measures are described below.

General administration of the Order will be conducted by the State Water Board. The State Water Board and Regional Boards will be responsible for enrolling individual restoration projects under the Order, as applicable, within their respective jurisdictional boundaries as outlined above. The approving Water Board will have the authority to issue a Notice of Applicability (NOA).

2.8.2 General Protection Measures

All projects permitted under the Order must incorporate *applicable* general protection measures, identified below, to ensure avoidance and minimization of impacts to aquatic/riparian resources from construction activities. See Appendix E for full descriptions of these general protection measures and design guidelines.

General Protection Measures

- ◆ GPM-1: Receipt and Copies of All Permits and Authorizations
- ◆ GPM-2: Construction Work Windows
- ◆ GPM-3: Construction Hours
- ◆ GPM-4: Environmental Awareness Training

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- ◆ GPM-5: Environmental Monitoring
- ◆ GPM-6: Work Area and Speed Limits
- ◆ GPM-7: Environmentally Sensitive Areas
- ◆ GPM-8: Prevent Spread of Invasive Exotic Plants
- ◆ GPM-9: Practices to Prevent Pathogen Contamination
- ◆ GPM-10: Equipment Maintenance and Materials Storage
- ◆ GPM-11: Material Disposal
- ◆ GPM-12: Fugitive Dust Reduction
- ◆ GPM-13: Trash Removed Daily
- ◆ GPM-14: Project Cleanup after Completion
- ◆ GPM-15: Revegetate Disturbed Areas

Water Quality and Hazardous Materials

- ◆ WQHM-1: Staging Areas and Stockpiling of Materials and Equipment
- ◆ WQHM-2: Storm Water Pollution Prevention Plan
- ◆ WQHM-3: Erosion Control Plans
- ◆ WQHM-4: Hazardous Materials Management and Spill Response Plan
- ◆ WQHM-5: In-Water Concrete Use
- ◆ WQHM-6: Accidental Discharge of Hazardous Materials

In-Water Measures

- ◆ IWW-1: Appropriate In-Water Materials
- ◆ IWW-2: In-Water Vehicle Selection and Work Access
- ◆ IWW-3: In-Water Placement of Materials, Structures, and Operation of Equipment
- ◆ IWW-4: In-Water Staging Areas and Use of Barges
- ◆ IWW-5: Cofferdam Construction
- ◆ IWW-6: Dewatering/Diversion
- ◆ IWW-7: Fish and Aquatic Species Exclusion while Installing Diversion Structures
- ◆ IWW-8: Removal of Diversion and Barriers to Flow
- ◆ IWW-9: In-Water Pile Driving Plan for Sound Exposure
- ◆ IWW-10: In-Water Pile Driving Methods
- ◆ IWW-11: Sediment Containment during In-Water Pile Driving
- ◆ IWW-12: Pile-Driving Monitoring
- ◆ IWW-13: Dredging Operations and Dredging Materials Reuse Plan

Vegetation/Habitat Disturbance and Revegetation, and Herbicide Use

- ◆ VHDR-1: Avoidance of Vegetation Disturbance
- ◆ VHDR-2: Native and Invasive Vegetation Removal Materials and Methods
- ◆ VHDR-3: Revegetation Materials and Methods
- ◆ VHDR-4: Revegetation Erosion Control Materials and Methods
- ◆ VHDR-5: Revegetation Monitoring and Reporting
- ◆ VHDR-6: Herbicide Use
- ◆ VHDR-7: Herbicide Application Planning
- ◆ VHDR-8: Herbicide Application Reporting

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2.8.3 Pre-Application Consultation

The project proponent shall contact the approving Water Board to submit available project information and request a pre-application consultation meeting prior to submittal of the NOI. The approving Water Board may waive pre-application meeting requirement on a case-by-case basis.

Restoration projects can be complex and often benefit from pre-application consultation with the approving Water Board during the early stages of planning and design. During the pre-application consultation meeting, the approving Water Board will review project materials and provide project-specific guidance for navigating the approval process. A site visit may also be conducted at the discretion and request of the approving Water Board. Whether or not a waiver is granted, and/or the extent of the pre-application consultation, will depend on project complexity and development of design and planning.

2.8.4 Projects Requiring Oversight by Other Agencies

The following project types may require additional design review and oversight by other regulatory agency staff and agency engineers, including but not limited to:

- ◆ NMFS—for projects where anadromous and/or marine fish considered federal special-status species⁹ are present
- ◆ USFWS—for projects where freshwater fish and wildlife considered federal special-status species⁹ are present
- ◆ CDFW—for projects where fish and wildlife considered state special-status species⁹ are present

The aforementioned regulatory agencies may impose specific requirements, including but not limited to the following, for certain project types:

- ◆ For stream crossing projects, allow passage of the life stages and covered salmonid species historically passing there.
- ◆ For retrofit culverts, meet the fish passage criteria for the passage needs of the special-status species and life stages that historically passed through the site before the existence of the road crossing according to NMFS Crossing Guidelines and CDFW stream crossing criteria (Part XII, *Fish Passage Design and Implementation*, of the CDFW *California Salmonid Stream Habitat Restoration Manual* [Flosi et al. 2010:Vol. II]).
- ◆ Designs for fishways and culvert replacement or modification projects planned in fish-bearing waterways, reviewed and authorized by a NMFS (or CDFW) fish passage specialist before the start of work.

⁹ Special-status species are species that are legally protected or otherwise considered sensitive by federal or state resource agencies (federal Endangered Species Act [FESA], California Endangered Species Act [CESA], or Species of Special Concern) or by local resource agencies.

